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The first volume contains the minutes of the Court from March 7 to December 19, 1892; the second, from December 19, 1892, to October 16, 1893; the third, from October 16, 1893, to March 19, 1894; and the fourth, from March 19 to May 26, 1894.

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and the great study of his life, many, perhaps I should say most, other fields of knowledge were diligently cultivated, not only as recreations but as auxiliary to his profession. Mathematics, for which he had a special fondness and aptitude, and which he pursued with delight into its most abstruse applications, astronomy, theology, biblical criticism, languages, literature, science, political economy, in short he seemed to have studied almost everything, and to have made a part of himself all that his thought had touched. Yet wide and profound as were the general researches of this great man, they were only subsidiary to his work in the law. For thirty years he studied and praticed his profession in all its branches with great diligence and great success.

William Pinkney is said to have declared that, in his time, only two men at the bar of the United States had mastered Coke upon Littleton — Chief Justice Parsons and himself. Indeed, to acquire a thorough knowledge of English and American jurisprudence, as administered in the courts of law, chancery and admiralty, is a life task, to be accomplished

only by large abilities under the spur of high ambition. Add to this a thorough acquaintance with the jurisprudence of republican and imperial Rome, with the Code Napoleon, and generally with the laws of continental Europe, as we approximate the strictly professional resources of this great lawyer and judge. Indeed, to speak the truth of this man's marvellous learning is to invite the charge of exaggerated eulogy. Yet neither in his writings nor in personal intercourse was there any display by Justice Bradley of his acquirements. One was impressed, not with what he knew, but with what he was and what he did. All that he learned enlarged the man: it did not merely add to the load of his possessions.

He was a modest man.

"Knowledge is proud that he has learned so much;
Wisdom is humble that he knows no more."

Nor was Justice Bradley simply a student, a man of learning. He was a practical business man, a man of affairs — a man to be called upon where large business interests were to be handled — a patriot, not only wise in council, but capable, energetic, and efficient

in action when the Government was in peril, when troops were to be raised, transportation furnished, and men, munitions, and supplies hurried to the front.

Prior to his appointment to this bench Mr. Bradley never held a public office: yet no man was more active and influential by word and deed, on the side of whatsoever things were just and of good report in his city and State.

His study of the law was not as something abstract, speculative, lifeless, but in its relations to society — yea, as the very essence, the life blood of civil society, even as the surgeon studies the life of his living subject. He had not the gift of eloquence, as the term is generally understood in its relation to juries: but he had what is vastly more important to a lawyer & a judge the power of clear, terse, vigorous statement, which illuminating the subject under discussion, if it does not enlist the feelings, does convince the understanding.

Politically his affinity was rather in the school of Hamilton than of Jefferson. He believed that in framing the Federal Constitution, the fathers intended to create a nation,

a sovereign among the sovereigns of the earth: and, his judgment approving their work, he omitted no opportunity to assert and vindicate that sovereignty. Hence in his decisions upon constitutional questions, whether arising out of economic or quasi political issues, the national idea always appears, even as the strand royal in the woof of all the banners of Britain.

Of the quality and measure of his work as a justice of this Court, running through nearly sixty volumes of the reports, there is no need to speak. With all his learning, with all his familiarity with reported decisions, Justice Bradley's opinions rarely rest primarily on adjudged cases. They are bottomed in principle, and they, when practicable, buttressed by authority. The principle involved is clearly stated, with its necessary logical results, and cases are cited to show that, on similar facts, like deductions have approved themselves to other judges - been sanctioned by other courts. The conclusion is right, not because others have said so, because it is right. Being what he was, the work of Justice Bradley could not be less than what it is - worthy of the man, an honor to the

great court, and the great country for which he spoke. His opinions are their own eulogy, the best, the most enduring monument to the fame of their author.

But let no jurist suppose that popular fame awaits him. Such honors are for more showy service, for men on horseback, or for those in political life who touch the people's heart — excite national enthusiasm. The laws of society, like the laws of nature work unseen and in silence. The principle of gravitation, pervading and regulating the material universe, was unnoted by men for near six thousand years. If the law herself, omnipresent and all-beneficent, excites so little interest, her priests, quietly ministering in her temple, must be content with respect and veneration. They may not hope for popular applause.

Justice Bradley was a christian man: cherished the domestic virtues in his home, was a good neighbor, and a good citizen. He tried always to preserve a conscience void of offense towards God and man. Charges against his integrity or honor fell away from him as hurtless as hail from the face of yonder

monument. To assert that such endowments, enriched by such cultivation, have perished, that the light of such a life has sunk in endless night, is to impeach the economy of nature.

Justice Bradley was a great lawyer, a great magistrate, a great man. He exalted the tribunal wherein he sat: he enhanced the measure of the place he occupied. His successor will in due time be appointed: his place will not soon be filled.

The Chief Justice responded:

We receive the memorial of the bar, and the address of the Attorney General as deserved tributes to the eminent man, whose labors have illuminated the conclusions of this tribunal, and whose gracious presence has been to its members a source of inspiration and fraternal regard for so many years. We indeed, sorrow deeply that we shall see his face no more.

The story of the lives of those who have triumphed over adverse circumstance and by indomitable will and industry attained that greatness in usefulness and fame to which their mental gifts entitled them is always full of

mind and instruction and in portraying the early difficulties surmounted by our departed brother, the Attorney General has justly called attention to the impressive lesson taught, in that particular, by his career, and indicated one of the most striking grounds of the success with which that career was attended. For the capacity for unremitting intellectual toil was his accompanied by that power of concentration wherein lies the secret of mastery.

He had not only the "inquiring" but the "intending" mind. He not only looked into things, but threw himself upon them and possessed himself of them. In each instance, his nature seemed subdued to what it worked in "like the dyer's hand." Humbleness and comprehensiveness went together, so that to his understanding the illustration from the Arabian Nights might well be applied, as it was to Bacon, that it resembled the fairy's tent, which could be placed, perfect in its proportions on the hand, but set up upon the plain, where armies could encamp beneath its shade.

It would be unreasonable to say that he took "all knowledge for his province," yet the

range of his studies was vast. He took charge and digested: many: and his acquaintance with affairs so extensive that what was original and what acquired poured from him in common flood.

If, as has been said, great judges may be divided into those who decide the particular dispute correctly, and those who, in doing that, expound the principle which will govern future cases, Mr. Justice Bradley undeniably belonged to the latter class: for his decisions in disposing of the matter in hand so explained the reasons and the philosophy of the rule applied, as to furnish a guide to the solution of problems to come.

Taking his seat upon this bench, conversant with every branch of the law, and with a mind filled with the results of brooding over fundamental principles in the vigils of many years, there is no ground for surprise that he has left a lasting impress upon the jurisprudence of his country. His opinions from the 9th Wallace to the 141st United States (numbering nearly five hundred), couched, in pure, unsullied English, vigorous but elegant, whether in the great domain of constitutional law, in cases at law

or in equity in admiralty in patent causes covering the whole field of judicial investigation, whether involving the application of the subtle learning of the common law, or the refined and equitable distinctions of the civil, whether treating of the principles of social order of civil and political liberty, the basis of forms of government or the immortal structure of his own, constitute a repository of statesmanlike views and of the unfettered rules in the administration of justice, resting upon the eternal principles of right and wrong, which will never pass into oblivion — an edifice which will remain now though time erase from its corner stone the name of the architect and builder. This is the exceeding great reward of an illustrious magistrate, that his work in contributing to the progress and happiness of mankind by the just enforcement of the laws, will last as long as humanity endures.

The President of the United States in acknowledging the official notification of Mr. Justice Bradley's death said: He was not only learned in the law but the temper of his mind was so fine and his wisdom so great that I do not wonder that you valued his counsels so highly.

This observation is discriminating and not. for it Touches. That reserved force. Grand character which gave Mr. Justice Bradley an influence beyond the mere words he wrote or uttered. Clearness of mind, wisdom of thought, cordiality of heart simplicity of manner conscientious devotion to duty, an absolute integrity — these he had, and possessing these, he has left no unfinished window in the palace of the reputation bequeathed to posterity. Never suffering the failure given him to be weakened or corrupted by disease, he preserved in the performance of public duty far beyond the period assigned as entitling to well earned repose.

And so beneath the sad stars, that appeared in the heavens as the twilight faded away, he continued to reap the harvest of a well spent life, and at the summons of his Master came, bringing his sheaves with him.

On adjournment has therefore been had as a mark of respect to the memory of our beloved associated, and a majority of our number has attended the committal of his body in the sure and certain hope of the life of the world to come. The resolutions and the

remarks which have accompanied their presentation will be entered upon the record.

[redacted]

Daniel Magone, Collector etc. — On motion of
1145. vs. Pff. in Error. — Mr. Assistant
Clara Rosenstein. — Attorney General
Maury, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States. — Mr. Albert Comstock, of
1085. vs. Appellant. — counsel for the appellee, submitted to the
Schwerling, Daly & Gale. — consideration of the
Court a motion to advance this cause.

The Huffman Furnace Co. — Mr. A. H. Winderoth
525. vs. Appellant. — of counsel for the appellee, suggested that
James C. Witherow. — the interest of the appellee herein has been assigned to Henry Mc. Cormick, and submitted to the consideration of the Court a motion that the name of the party

appeal be changed of record to James P. Witherow to the use of Henry McCormick.

The Enfield Furnace Co. Appellant.
525. vs.
James P. Witherow.

Mr. J. A. Wadestew, of counsel for the appellee submitted to the consideration of the Court a motion to recall the supersedeas herein or to require the appellant to give a new bond on the appeal. Mr. Joseph A. Wathen, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to file a new appeal bond.

The State of Maryland. Complainant
12 Orig. vs.
The State of West Virginia.

On motion of Mr. Ogden Bartlett, of counsel for the defendant

It is ordered by the Court that the time within which to file answer & cross-bill herein be extended to the second Monday of the next term

Ex parte: In the matter of
John O. Shaw, Jr. Trustee.
13. Original. Petitioner.

On motion of Mr. J. Hubley Ashton, leave

is hereby granted time to intervene and file a printed argument herein on or before Wednesday next.

The St. Louis, Iron Mountain and Southern Railway Co. Plff. in Error.
v.
367 John Humphreys et al. Trustees etc. etc.

In Error to the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed, without costs to either party.

per Mr. Chief Justice Fuller.

Harriet C. Jones and Grant C. Jones Admrs. etc
v.
98 Appellants
Eliza A. Cunningham et al.

Ordered by the Court that this cause be, and the same is hereby, passed.

189. The Chateaugay Ore & Iron Co. vs. Peff. in Error
Theodore A. Bates

The argument of this cause was resumed by Mr. Edmund Wetmore, of counsel for the plaintiff in error, by Mr. R. D. Mussey and Mr. L. B. Chittenden, of counsel for the defendant in error, and concluded by Mr. Frank B. Smith, of counsel for the plaintiff in error.

190. James G. Waterman, Executrix etc. Appellant.
vs.
James M. Banks, Executor etc.

191. A. L. Porter. Appellant.
vs.
James M. Banks, Executor etc.

The argument of these cases was commenced by Mr. George H. Edmunds, of counsel for the appellants

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, March 8th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. J. Hemphill it is ordered that J. P. Hamilton, Esquire, of Chester, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. J. Sullivan it is ordered that W. L. Sullivan, Esquire, of Washington District of

Columbia, be admitted to practice as an attorney and counsellor of this Court and it was ordered accordingly.

Thomas J. Fisher.
217 vs. Appellant.
C. Randolph Tucker et als.

Mr. C. C. Miller, of counsel for the appellant suggested the death of Thomas J. Fisher, the appellant in this cause, and that Jessie Adelaide Sunderland had succeeded to all the rights of said Fisher in the property involved in this cause and submitted to the consideration of the Court a motion that the said Jessie Adelaide Sunderland be substituted as the party appellant herein.

James G. Waterman, Executrix etc.
190 vs. Appellant.
James M. Banks, Executor etc.
and
J. L. Porter.
191 vs. Appellant.
James M. Banks, Executor etc.

The argument of these cases was continued by Mr. George E. Edmunds, of counsel for the appellants and Mr. C. C. Bonney, of counsel for the appellee,

and concluded by Mr. George E. Edmunds of counsel for the appellants.

Ex parte, In the matter of John O Shaw, as Trustee
3 Original. ——— Petitioner.

This case was argued by Mr. B. N. Cardozo, of counsel for the petitioner and Mr. Don M. Dickinson, of counsel for the respondent.

The Spalding Lumber Co.
173. vs. Pff. in Error.
The United States.

The argument of this cause was commenced by Mr. F. O Clark, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer
Henry B. Brown,
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr Edmund Wetmore it is ordered that Frank L. Freeman, Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Lehigh Zinc & Iron Co. Limited.		Mr. Williams	
194.	vs.	Pff. in Error.	A. McKenney, in
Charles Bamford et al.			behalf of Mr.

it suggested the death of Charles Bamford, one of the defendants in error herein, and presented a stipulation of counsel that this cause be passed. Whereupon, It is now here ordered by the Court that this cause be, and the same is hereby, passed.

George E. Hamilton. Appellant. Appeal from the Supreme Court of the District of Columbia.
vs.
Lucia B. Cutts et al.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this appeal has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by the Court that this appeal be and the same is hereby dismissed, Clerk's costs to be paid by appellant.

per Mr. Chief Justice Fuller.

The Citizens' Street Railway Co. of Pine Bluff, Arkansas. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.
vs.
Wiley Jones.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The First National Bank of		In Error to the Cir-
Pine Bluff, Arkansas, et al.		cuit Court of the
387.	vs.	United States for
The Hanover National Bank	Pepp. in Error.	the Eastern Dis-
of the City of New York.		trict of Arkansas.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Spalding Lumber Co.		The argument of this
193.	vs.	cause was contin-
The United States.	Pepp. in Error.	ued by Mr. C. O. Clark

of counsel for the plaintiff in error, and Mr. Solicitor General Taft, of counsel for the defendant in error and concluded by Mr. F. O. Clark, of counsel for the plaintiff in error.

Clinton C. Tripp. vs. City in Error. The Santa Rosa Street Railroad Co. et al.

197. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. G. Galpin, of counsel for the plaintiff in error, No counsel appeared for the defendants in error.

Jared W. Dillman. vs. Appellant. John C. Hastings et al., Administrators etc.

201. This cause was argued by Mr. A. S. Worthington, of counsel for the appellant. No counsel appeared for the appellees.

The Pope Manufacturing Co. vs. Appellant. S. Philip Gormully.

204. The argument of these cases was commenced by Mr. L. L. Do-

and

The Pope Manufacturing Co. — Term of counsel
205. vs. Appellant — for the appellant
The Cromwell & Emery Manu- — and continued
facturing Company et al — by Mr. B. K. Pi-
— field of coun-
sel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Curswand to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
David J. Brewer.
Henry B Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this today by Mr. Grant W. Hackett it is ordered that B. F. Leighton, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Perkins it is ordered that Edwin A. Austin, Esquire, of Topeka, State of

Thomas be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The City of Brenham. — Dismissed with costs.
120 vs. Aff. in Error.
The German-American Bank.

On motion of Mr. W. Hallett Phillips, leave is hereby granted him to withdraw his appearance as counsel for the plaintiff in error in the cause.

The Chicago & Northwestern Railway Co. — Appeal from the Circuit Court of the United States
143 vs. Appellant. — for the Southern District of Iowa.
The State of Iowa.

This cause having been called to the attention of the Court by Mr. W. B. Gordy, of counsel for the appellant and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite

The Chicago & Northwestern Railway Company.	Appeal from the Circuit Court of the
1144 vs. Appellant.	United States for
Spencer Smith et al. Commissioners etc.	the Southern District of Iowa.

This cause having been called to the attention of the Court by Mr. W. B. Gordy, of counsel for the appellant and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion. It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Sioux City & Pacific Railway Co.	Appeal from the Circuit Court of
1145 vs. Appellant.	the United States
Spencer Smith et al. Commissioners etc.	for the Southern District of Iowa.

This cause having been called to the attention of the Court by Mr. W. B. Gordy, of counsel for the appellant and he having moved

the Court to dismiss this cause. Therefore in pursuance of said motion. It is now here ordered adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago Burlington & Quincy R.R. Co. vs. The State of Iowa.

.71. Appellant.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion. It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago, Burlington & Quincy R.R. Co. vs. Spencer Smith et al. Commissioners &c.

.72. Appellant.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago, Burlington & Quincy R.R. Co. Appellant.
v.
Peter A. Dey et al., Commissioners etc.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

1218.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

214. The Globe Telephone Co. of New York et al. vs. The American Bell Telephone Co., et al. Appellants. Appeal from the Circuit Court of the United States for the Southern District of New York

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

218. Milton A. Bennett & Robert L. Dunncan. vs. Frank R. Baker. Plff. in Error. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is there

fore, in pursuance of the 30th rule of this Court it is here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Pope Manufacturing Co.
204 vs. Appellant.
A. Philip Gormully.
and
The Pope Manufacturing Co.
205 vs. Appellant.
The Gormully and Jeffery Manufacturing Co. et al.

The argument of these cases was continued by Mr. C. K. Offield and Mr. W. C. Goudy, of counsel for the appellees, and concluded by Mr. Edmund Wetmore, of counsel for the appellant.

The Pope Manufacturing Co.
206 vs. Appellant.
The Gormully and Jeffery Manufacturing Co. et al.
The Pope Manufacturing Co.
207 vs. Appellant.
The Gormully and Jeffery Manufacturing Co. et al.

The argument of these cases was commenced by Mr. L. L. Coburn of counsel.

108. The Cyko Manufacturing Co. v. Oswald. The Connelly & Jeffery Manufacturing Co. et al. | for the ap

Proclamation being made the Court is ad
ed until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.

John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William B. Earle it is ordered that Henry D. M. Smith, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. L. Polk it is ordered that Percy B. Smith, Esquire, of Chicago State of

Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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206 The Pope Manufacturing Co. vs. Appellant. / The Cornelly & Jeffery Manufacturing Co. et al.

The argument of these cases was continued by Mr. L.L. Coburn of counsel for the appellant, and Mr. C.K. Offield of counsel for the appellees, & concluded by Mr. Edmund Wetmore of counsel for the appellant.

207 The Pope Manufacturing Co. vs. Appellant. / The Cornelly & Jeffery Manufacturing Co. et al.

And

208 The Pope Manufacturing Co vs. Appellant. / The Cornelly & Jeffery Manufacturing Co. et al.

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22 Samuel K. Krisman et al. vs. Effe in Error. / Henry J. Anderson, Receiver &c

The argument of this cause was commenced by Mr. George Gabrielle, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
Lucius L. C. Lamar,
David J. Brewer,
Henry B. Brown,
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that J. L. Samuels, Esquire, of Waco, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Choate it is ordered

that Louis H. Gutow, Esquire of New York City be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The Aurora Brass & Copper Company.		Appeal from the Circuit Court of the United States for the District of Connecticut.
160	vs. Appellant.	
The Electrical Supply Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut & was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brown

Dissenting: Mr. Justice Field.

Jas. Larkin & Wm J. Mc. Namara.		In Error to the Su
175	vs. Plffs in Error.	preme Court of
David H. Upton, Patrick A. Largey & Howard A. Jenor.		the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Justice Brewer.

The United States. Appeal from the
1157 vs. Appellant. Court of Claims.
William Wilson.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, & the same is hereby, affirmed.

per Mr. Justice Lamar.

Otto Heinze & Francis Grove. In Error to the C
146 vs. Sys. in Error. cuit Court of
Charles B. Miller & Daniel S. the United Stat
Holmes, Executors of Chester A. for the Southern
Arthur, deceased, late Collector District of New
of the Port of New York. York.

This cause came on to be heard on the tran-
script of the record from the Circuit Court of the
United States for the Southern District of New
York, and was argued by counsel. On con-
sideration whereof, It is now here ordered and
adjudged by this Court that the judgment of
the said Circuit Court in this cause be, and
the same is hereby, reversed with costs: and
that this cause be, and the same is hereby,
remanded to the said Circuit Court with an
instruction to grant a new trial.

per Mr. Justice Blatchford.

Adolph Auhenroth, Swan Von Auw, In Error to the Ci
William Graham & Herman Schleeter. cuit Court of the
147 vs. Sys. in Error. United States for the
William H. Robertson, late Col- Southern Dis
lector of the Port of New York. trict of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with an instruction to grant a new trial.

per Mr. Justice Blatchford.

William B. Wilson. In Error to the Circuit Court
177 v. Ely. in Error. of the United States for the
Lucas Lebiguwan. Eastern District of Missouri.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Benjamin F. Butler
170 vs. Off in Error.
The National Home for
Disabled Volunteer Soldiers

In Error to the Circuit
Court of the United States
for the District of
Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Brown.
(The Chief Justice and Mr. Justice Gray took no part in the decision of this case).

The Stafford Furnace Co.
235 vs. Appellant.
James P. Wallerow.

On consideration of the motion that the name of the party appellee herein be

changed on the record to James C. Witherow, to the use of Henry Mc. Cormick.

It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Stiffnd Furnace Co. vs. James C. Witherow. Appellant.

336. On consideration of the motion of counsel for the appellee to vacate the supersedeas herein or to require the appellant to give a new bond on this appeal, and of the motion of counsel for the appellant for leave to file a new appeal bond herein.

It is now here ordered by the Court that the appellant be, and it is hereby, required to file a new supersedeas bond herein within thirty days, said bond to be approved by the Clerk of this Court.

per Mr. Chief Justice Fuller.

The United States. vs. Schoverling, Daly & Gales. Appellant.

1086. On consideration of the motion to advance this cause, It is now here ordered by the

Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the third Monday of the next Term.

per Mr. Chief Justice Fuller.

Law. Ore. Rew.
1468 vs. Appellant
The United States.

It is ordered by the Court that the writ of certiorari issue returnable forthwith and that the record already filed be taken as the return thereto, in accordance with the stipulation of the parties.

per Mr. Chief Justice Fuller.

Andrew Wesley Keil, Executor and Trustee of Jonathan Greenleaf Wells, deceased
1149 vs. Appellant.
The Lake Superior Ship Canal Rail Iron Company, Theodore M. Ramo et al.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New

York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Lau Ow Bew
vs. Appellant.
The United States.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of California with directions to reverse its judgment and discharge the petitioner.

per Mr. Chief Justice Fuller.

	Lau Ow Bew.	It is ordered by the Court
1458	vs. Appellant.	that the Clerk issue the usu
	The United States.	late in this cause at once.

	Hiram Barney, late Collector	In Error to the Cir-
	of the Port of New York.	cuit Court of the
371.	vs. Eff. in Error	United States for
	Stephen W. Waterbury, Richard	the Southern Dis-
	M. Shaw and E. M. Jones.	trict of New York.

This cause having been called by the Clerk of the Court by Mr. Solicitor General Taft, of counsel for the plaintiff in error, and the hearing moved the Court to dismiss this cause. Whereupon, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

	Edward H. Horner.	
1051	vs. Appellant.	
	The United States et al.	On motion of Mr.
	And	Solicitor General Taft,

Edward H. Brown
173. vs. Appellant.
The United States et al.
And
The United States
704. vs. Appellant.
A. G. Worrell.

Leave is hereby granted the Clerk to issue the mandates in these cases.

The United States.
22. vs. Appellant.
Terry and Tyler.

Mr. Attorney General of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

Miriam Barney, late Collector etc.
271. vs. Pff. in Error.
Stephen W. Waterbury et al.

On motion of Mr. G. D. Mc. Kenney, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Albert H. Haspell.
1350. vs. Pff. in Error.
The Northern Pacific R. R. Co.

This cause was submitted to the consideration of the Court on the record

and printed arguments by Mr. Samuel L. Crapo, of counsel for the plaintiff in error, and Mr. O. H. Carland and Mr. H. J. May, of counsel for the defendant in error.

The Farmers & Merchants State Bank et al. vs. David Armstrong, Receiver &c.
1513. Appellants.

On motion of Mr. J. W. Warrington, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, restored and assigned for argument with case No. 877, as one case.

Samuel H. Kissam et al. vs. Henry J. Anderson, Receiver &c.
506. Appellants in Error.

The argument of this case was continued by Mr. George Gilchrist, of counsel for the plaintiffs in error, and Mr. George W. Wingate and Mr. C. H. Carlton of counsel for the defendant in error, and concluded by Mr. Joseph H. Choate, of counsel for the plaintiffs in error.

The Ocean Mining Co.
vs. Appellant.
The State of South Carolina
ex rel: C.C. Altman et al.

Substituted for the 2nd.

The argument of this cause was commenced by Mr. Augustine T. Smythe, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March, 15th, 1892.

Court met to adjourn and the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

John M. Harlan.

Horace Gray. Associate

Samuel Blatchford. Justices.

Lucius Q. C. Lamar.

David J. Brewer.

Henry B. Brown.

John W. Wood, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. W. Lockwood it is ordered that Henry B. Hasbrouck and John DeWitt Warner, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. M. Stewart it is ordered that Ch

Thos. L. Hughes Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion filed made to the Court in this behalf by Wm. H. C. Hammond it is ordered that William C. Simmons Esquire, of Laurencville, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Farmers & Merchants State Bank et al. ..... Appellants.
vs.
Reed Armstrong, Receiver &c. ..... Appellee.

1515.

Mr. J. W. Warrington, of counsel for the appellants submitted to the consideration of the Court a motion to require the United States Circuit Court of Appeals for the Fifth Circuit to certify this cause to this Court for review and determination.

William M Warner Collector of Customs at the Port of Baltimore.		Appeal from the Circuit Court of
1516	vs. Appellant.	the United States
Eldridge Cochran & Charles De Will, trading as Cochran De Will and Bo		for the Dist of Maryland.

The cause having been called by the Attorney of the Court by Mr. Solicitor General Coft. of counsel for the appellant, and he having moved the Court to dismiss this cause. Whereupon, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The New England Mortgage Security Company.		Mr. H. J. Hammond,
231	vs. Pff. in Error.	of counsel for the
Jacob M. Gay.		plaintiff in error,

suggested a diminution of the record in this cause and submitted to the consideration of the Court a motion for a writ of certiorari herein. Whereupon, It is now here ordered by the Court that a writ of certiorari

be, and the same is hereby, awarded as prayed.

The New Chester Water Co. et al. vs. The Holly Manufacturing Company. (484.) Appellants. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Coosaw Mining Co. vs. The State of South Carolina et al: B.H. Cullum et al. (448.) Appellants. The argument of this cause was continued by Mr. Augustus T. Gray, of counsel for the appellants, and Mr. Henry D. McCleave and Mr. George S. Mower, of counsel for the appellees, and concluded by Mr. Edward McCrady Jr.

of counsel for the appellants.

Ora Haley. ... This cause was
211. vs. Pff. in Error. submitted to the
Louis K. Bruce, Treasurer &c. consideration of
the Court on the
record and printed arguments by Mr. W. P. Hyde, of counsel for the plaintiff in error, and Mr. D. B. Parks of counsel for the defendant in error.

Eleanor Nesbit. ... This cause was sub-
312. vs. Pff. in Error. mitted to the consid-
The Independent District eration of the Court
of Riverside County of Iowa. on the record and
printed arguments
by Mr. W. Wilson Foley, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

E. W. Mason &c. & E. Mew- The argument of
lands, Trustees. this cause was
216. vs. Appellants. commenced by
J. Randolph Tucker et al. Mr. J. H. Galloway,
Exrs. of counsel for the

Thomas J. Victor. ... appellants, by counsel continued by Mr. Henry
317. vs. Appellant ... Wise Garnett and
J. Randolph Tucker et al. ... Mr. Eppa Hunton,
of counsel for the appellants and Mr. P. J. Sulyer,
of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-d
at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Samuel Blatchford Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the fo
day by Mr. Bellamy Storer it is ordered that
Darius D. Hare, Esquire, of Upper Sandusky and
James W. Owens, Esquire, of Newark, State of Ohi
be admitted to practice as attorneys and coun
sellors of this Court, and they were sworn
accordingly.

On motion first made to the Court in the
day by Mr. Robert M. Morse it is ordered that

Charles F. Miller, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

216. F. W. Sharon & F. G. Newlands, Plaintiffs. vs. J. Randolph Tucker et al. & Thomas J. Fisher. Appellants.

217. vs. J. Randolph Tucker et al. Appellant.

The argument of these cases was concluded by Mr. C. J. Hillyer, of counsel for the appellants.

210. Josiah Bedou. Plaintiff in Error. vs. William R. Davis et al.

The argument of this cause was commenced by Mr. J. C. Hamilton, of counsel for the plaintiff in error, continued by Mr. Edward Mc. Brady Jr. of counsel for the defendants in error, and concluded by Mr. Wells Dean, of counsel for the plaintiff in error.

The Cuvadis Mining Co.
1340 vs. Appellants.
Thomas H. Mason et al.
and
Alfred A. Marcus.
1416 vs. Appellants.
Thomas H. Mason et al.

The argument of these cases was commenced by Mr. J. L. Stackpole, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Elwood C. Harris, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. P. Bliss it is ordered that

Thomas Jefferson Cheeks, Esquire, of Milwaukee, State of Wisconsin, to admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

The Cerrato Mining Co
1342 vs Appellant.
Thomas H. Mason et al.
And
Alfred A. Marcus.
1116. vs. Appellant.
Thomas H. Mason et al.

The argument of these cases was continued by Mr. Robert M. Morse, of counsel for the appellants, and Mr. Don M. Dickinson, of counsel for the appellees, and concluded by Mr. C. H. Talbot, of counsel for the appellants.

The City of Brenham.
120. vs. Off in Error.
The German American Bank.

This cause was argued by Mr. A. H. Garland, of counsel for the defendant in error, and submitted on printed arguments by Mr. S. R. Fisher, of counsel for the plaintiff in error, and Mr. Henry Say les of counsel for the defendant in error.

The Inter State Commerce Commission. ..... Appellant.
vs.
The Baltimore & Ohio R.R. Co.

The argument of this cause was commenced by Mr. A. G. Safford, of counsel for the appellant.

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Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March, 18th 1898.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal
James H. Mc Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that James H. Shankland, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Pratt it is or-

dmd. that Charles O. Tobey, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William M. Warner, Collector of Customs at the Port of Baltimore. vs. Arthur M. Brown, Trading as Arthur Brown & Company. Appeal from the Circuit Court of the United States for the District of Maryland.

This cause having been called to the attention of the Court by Mr. Solicitor General Taft of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Benjamin C. Butler. vs. Eff in Error. Charles P. Worley, Assignee etc. On motion of Mr. O. D. Barrett in behalf of counsel,

It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation.

The Inter-State Commerce Commission. ... Appellant.
889. vs.
The Baltimore & Ohio R.R. Co. ...

The argument of this cause was continued by Mr. T. G. Safford, of counsel for the appellant, and Mr. John K. Cowen, of counsel for the appellee, and concluded by Mr. Samuel Shellabarger, of counsel for the appellant.

Charles L. Pickens et al. ... Plffs in Error.
97. vs.
The Circuit District of Shelby County, Tennessee et al. ...

The argument of this cause was commenced by Mr. S. P. Walker, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, March 21st, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr. W. Hallett Phillips it is ordered that John J. Leitz, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. U. C. Hammond it is ordered that

Gabriel M. Clarke, Esquire, of the York Bar, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion filed made to the Court in this behalf by Wm. A. Stuart it is ordered that Cassius M. Brown, Esquire of Toledo State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Johnson N. Camden.

159. ... to. ... Appellant.

William A. Stuart, W. W. Gordon et al, Trustees &c. — and — William A. Stuart. 645. ... to ... Appellant. The Treasurer White Sulphur Springs Company.

Appeals from the Circuit Court of the United States for the District of West Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Vir-

cuit, and on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of West Virginia, nunc pro tunc as of January 18, 1892.

per Mr. Justice Brown.

188 Laurent Lacassagne, Appellant, v. Octavius Chapuis, Testamentary Executor of Leonie Caroline Caré Carvallez, deceased. Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in

this cause dismissing the bill absolutely, be so modified as to declare that it is without prejudice to an action at law, and, as so modified be, and the same is hereby affirmed with costs.

per Mr. Justice Blatchford.

Thomas J. Fisher. vs. J. Randolph Fisher et al. Appellant.

247

On consideration of the suggestion of the death of Thomas J. Fisher, the appellant herein, it is now here ordered by the Court that leave be, and the same is hereby, granted to substitute the Executors of the said Fisher, and their grantee as the parties appellants in this cause.

per Mr. Chief Justice Fuller.

The United States. vs. Perry and Syer. Appellant

1221

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of the next term.

per Mr. Chief Justice Fuller.

The Farmers and Merchants State Bank et al. vs. Appellants. Edward Armstrong, Receiver etc. On consideration of the motion to require the United States Circuit Court of Appeals for the Sixth Circuit to certify the entire record in the cause to this Court for review and determination, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ora Haley. vs. Pff. in Error. Lewis N. Breeze, Treasurer of Routt County, Colorado. In Error to the Supreme Court of the State of Colorado.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Ex parte; In the matter of Thomas H. Hall, Petitioner } On petition for a writ of error.

On consideration of the petition for a writ of error herein, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

Eugene B. Gordon. Plaintiff in Error, vs. Appeal & Error. The First National Bank of Chattanooga, Tennessee. } In Error to the Circuit Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with

costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

per Mr. Chief Justice Fuller.

Milton A. Gripp. Plff in Error. vs. The Southern Pacific Railroad Company et al. In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

—— Order. ——

The Reporter having represented that owing to the number of decisions at the term, it will be impracticable to print the reports in one volume, It is therefore, now here ordered that he publish an additional volume in this

years pursuant to section 581 of the Revised Statutes.

per Mr. Chief Justice Fuller

	The Union Pac. R.R. Co.		Mr. J. K. Dawes,
171.	vs.	Pff. in Error.	of counsel for
	The Comm. of Kansas		the defendants
	and		in error, moved
	The Union Pac. R.R. Co.		the Court to
172.	vs.	Pff. in Error.	grant leave to
	The Comm. of Colo.		the Clerk to is-

sue the mandates in these cases which was opposed by Mr. Thomas Wilson, of counsel for the plaintiff in error.

Whereupon, It is now here ordered by the Court that said motion be and the same is hereby denied.

	The Northern Pacific R.R. Co.		Mr. O. H. Gar-
988.	vs.	Pff. in Error.	land of counsel
	J. L. Patterson, County Treasurer &c.		for the

plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

The American Artificial Stone Pavement Co. Limited.
vs. Appellant.
The Vulcanite Paving Co. et al.

Mr. Hector C. Cameron of counsel for the appellant, submitted to the consideration of the Court a motion to reverse the decree herein, in accordance with the stipulation of counsel on file.

The Monongahela Navigation Co.
2. vs. Appt. & Plff. in Error.
The United States.

Mr. Attorney General Miller, of counsel for the appellee and defendant in error, submitted to the consideration of the Court a motion to advance this cause.

The Sioux City & St. Paul Railroad Company.
3. vs. Appellant.
The United States.

Mr. Attorney General Miller, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

George A. Francoeur		In Error to the Circuit Court
252	vs.	Off in Error of the United States for the
Oscar Hurlburt.		Northern District of California.

This cause having been called to the attention of the Court by Mr. E.J. Burdett, of counsel for the defendant in error, and a Stipulation to dismiss this cause having been filed. Therefore, in pursuance of said Stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Robert A. Ballock.		Mr. J.J. Scribner, of coun-
257	vs.	sel for the appellant
William R. Hooper et al.		suggested the death
		of William R. Hooper,

one of the appellees in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties.

Whereupon, It is now here ordered by the Court that unless the proper representatives of the said William R. Hooper, deceased, as aforesaid, shall voluntarily become parties

within the first ten days of the ensuing term of this Court, the appellant shall be entitled to have the record and on hearing have the decree reversed, if it be erroneous: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the District of Columbia for three successive weeks at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

The People of the State of New York ex rel: The New York Electric Lines Company. vs. Plff. in Error. Colin M Ingersoll, Commissioner etc. On motion of Mr. Melville Bostwick of counsel for the Metropolitan Telephone and Telegraph Company leave is hereby granted him to file a printed argument in this cause on or before Friday next.

Oscar Rice ..... vs. ..... Plff. in Error. ..... Isaac Sawyer Admr. etc. The motion to dismiss in this cause was submitted to the consideration of the Court

on the record and printed arguments by Mr. A. O. Mc Guerry, in support of the same Mr. E. F. Ware, in opposition thereto.

Charles L. Pickelew et al.
97. vs. Pffs. in Error.
The Taxing District of Shelby County, Tennessee, et al.

in error.

The argument of this cause was conclud-ed by Mr. W. Hallett Phillips, of counsel for the plaintiffs

William Crawford.
186. vs. Appellant.
Charles A. Heal.
and
Charles A. Heal.
278. vs. Appellant.
John A. Crawford et al.

These cases were argued by Mr. C. B. Wood, of counsel for Heal, and Mr. John H. Mitchell, of counsel for Crawfords et al.

Crockam there being no more the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 22d, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in like behalf by Mr. James M. Ewens it is ordered that Julius C. Powers, Esquire, of Portsmouth, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in like behalf by Mr. John M. Davis it is ordered that

Barrett Adler Esquire of Brunswick State of Maine be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Valentine it is ordered that Albert Swartzlander Esquire of Omaha State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Railway Register Manufacturing Co.

229. vs. Appellant. Ordered by the

The Central Park North & East River R.R. Co. et al. Court that this case be, & the same is hereby, continued until the next term, per stipulation of counsel.

and

The Railway Register Manufacturing Co.

267 vs. Appellant.

The Broadway & Seventh Avenue R.R. Co. et al

John H. Lamb. Appeal from the Supreme
218 vs. Whitland. Court of the Territory of
Robert Mc. Guire. Idaho.

This cause having been called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs. And it is further ordered that this cause be, and the same is hereby remanded to the Supreme Court of the State of Idaho.

per Mr. Chief Justice Fuller.

John Price, Administrator &c. This cause was
219 vs. Pff. in Error. argued by Mr.
The Detroit, Grand Haven and E. H. Stevenson,
Milwaukee Railway Co. of counsel for
the plaintiff
in error, and Mr. W. A. Day, of counsel for
the defendant in error.

The New England Mortgage Security Co.
vs. Pff. in Error
Jacob W. Kay.

This cause was argued by Mr. W. J. Hammond of counsel for the plaintiff in error.

No counsel appeared for the defendant in error.

Freeman B. Dodge et al.
vs. Appellants.
L. W. Phillips, Trustee et al.

The argument of this cause was commenced by Mr. Albert Swartzlander of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Forward to adjourned the Court until to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. N. Davis it is ordered that Melvin Grigsby, Esquire of Sioux Falls, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. M. Cockrell it is ordered that

James Curtis Dennis, Esquire of Cape Girardeau, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Elijah W. Waddaugh et al.
vs. Appellants.
Nathaniel Wilson.

Ordered by the Court that the cause be, and the same is hereby, passed, per stipulation, on account of sickness of counsel.

Mary Wall.
vs. Appellant.
The District of Columbia et al.

Appeal from the Supreme Court of the District of Columbia.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Duncan B. Dodge et al. vs. Appellants. L. W. Dailey, Trustee et al.

222.

The argument of this cause was concluded by Mr. Albert Swartz Gaither, of counsel for the appellants, and the cause was submitted on a printed argument by Mr. Smith McPherson, of counsel for the appellees.

The Quincy, Missouri and Pacific R.R. Co. et al. vs. Appellants. Solon Humphreys et al., Receivers etc.

223.

On motion of Mr. D. A. Chamberlain, of counsel for the appellants, It is ordered by the Court that Mr. James Thomson have leave to file a printed argument herein on behalf of the appellants and counsel for the appellees to file a reply thereto, both arguments to be filed within one week, and that two counsel be allowed to open the case on the part of the appellants.

The Quincy, Missouri and Pacific R.R. Co. et al. vs. Appellants. Solon Humphreys et al. etc.

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This cause was argued by Mr. D. A. Chamberlain, and Mr. Cornell

W. Allison of counsel for the appellants & Mr. Wells H. Blodgett and Mr Thomas A. Hulbert Jr. of counsel for the appellees.

The Hartford Life and Annuity Insurance Co.
224 vs. Pff in Error.
Emily Unsell.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Chester A. Krum of counsel for the plaintiff in error, and Mr. George D. Reynolds of counsel for the defendant in error.

Elizabeth L. Smith, Executrix &c.
225 vs. Appellant.
Artemas Gale et al.

The argument of this cause was commenced by Mr C. A. Davis, of counsel for the appellees.

On motion it is ordered that the Court is adjourned until to-morrow at twelve o'clock.

Thursday. March. 24th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Dennison it is ordered that A. Walker Otis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson it is ordered that James O'Neill, Esquire, of Utica, State

of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Commercial National Bank et al. vs. Appellants. Brown, Bonnell & Co. The Lake Superior Iron Co. et al.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

545

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Elizabeth S. Smith, Executrix &c., vs. Appellant. Artemas Hale et al.

The argument of this cause was concluded by Mr. C. K. Davis of counsel for the appellee, and the cause was

525

submitted on a printed argument by Mr. Lewis Dillon and Mr. Franklin H. Mackey, of counsel for the appellants.

Belford, Clark & Co. et al. vs. Appellants. Charles Scribner. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. A. Partridge, of counsel for the appellants and Mr. Walter C. Larned, of counsel for the appellee.

244. Delos B. Culver, Plff. in Error. vs. George Wickinson, Receiver etc. Ordered by the Court that this cause be, and the same is hereby, passed, on account of sickness of counsel.

245. Hiram H. McLane et al. vs. G. King and Son, et al. Appellants. This cause was argued by Mr. A. L. Riddle, of counsel for the appellees, and submitted on a printed argument by Mr. W. G. Morris, of counsel for the appellants.

Pleasant A. Pendleton et al. vs. Plffs. in Error. Charles H. Russell, Receiver etc.

236. This cause was argued by Mr. A. Walker Otis of counsel for the plaintiffs in error, and submitted on a printed argument by Mr. James A. Dennison, of counsel for the defendant in error.

The Syracuse Chilled Plow Company. vs. Appellant. A. S. Robinson et al.

239. Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs, for the want of prosecution.

per Mr. Chief Justice Fuller.

The Columbia & Puget Sound R.R. Co. vs. Plff. in Error. Willard C. Hawthorne.

240. This cause was argued by Mr. D. H. Holmes,

of counsel for the plaintiff in error, and Mr. John B. Allen, of counsel for the defendant in error.

The Ship Blue Jacket &c.,
D. O. Mills, owner. . . . . .
244. vs. Appellant.
The Pacoma Mill Company.

The argument of this cause was commenced by Mr. John B. Allen of counsel for the appellant, and continued by Mr. John H. Mitchell, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Friday, March 25th 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas A. E. Woodcock it is ordered that Louis G. Richardson, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. P. Sanders it is ordered that Elbert O. Wood, Esquire, of Helena, State of

Woodward, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the case of Mr. Eppa Hunton it is ordered that S. S. Glasgow and John G. Leckie, Esquires, of Burlington, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Farmers Loan & Trust Company. vs. Appellant.
Mississippi Louisiana & Texas Railroad & Steamship Co. et al. Appeal from the Circuit Court of the United States for the Northern District of Texas.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed without costs to either party.

Per Mr. Chief Justice Fuller.

The Hup Yue Jacket &c. D.O. Wills, Owner. 341. vs. Appellant. The Pacific Mail Company.

The argument of this cause was continued by Mr. John H. Mitchell, of counsel for the appellee, and concluded by Mr. J. L. B. Allen, of counsel for the appellants.

The J. S. Keator Lumber Co. 342. vs. Aff. in Error. Benjamin F. Thompson et al.

This cause was argued by Mr. James O'Neill, of counsel for the defendants in error, and submitted on a printed argument by Mr. C. K. Edsall, of counsel for the plaintiff in error.

Joseph R. Correa. 344. vs. Appellants. Susan M. Redd et al.

This cause was argued by Mr. C. M. Osborn, of counsel for the appellants, and Mr. Frederic Ullman, & Mr. William Ritchie of counsel for the appellees.

Roger M. Sherman. 345. vs. Pff. in Error. Irving Grinnell et al, etc.

This cause was argued by Mr. Treadwell Cleveland, of

counsel for the defendants in error, and submitted on a printed argument by Mr. Roger Mr. Sherman in propria persona.

Henry Hayes, Administrator &c. vs. Appellants
Cyrus C. Pratt, Executor &c. et al.

This cause was argued by Mr. O. D. Keasbey, of counsel for the appellants, and Mr. John P. Emery, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 28th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
David J. Brewer,
Henry B. Brown,
Associate Justices
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Charles E. Aldrich appeared and produced the following Letters Patent which were ordered to be recorded on the minutes of the Court as follows, viz:

Benjamin Harrison,
President of the United States of America,
To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Integrity and Ability of Char-

the A. Aldrich, of Illinois, I have nominated by, and with the advice and consent of the Senate do appoint him Solicitor General and do authorize and empower him to execute and fulfil the duties of said Office according to law and to have and to hold the said Office with all the powers, privileges and emoluments thereunto of right appertaining, unto him the said Charles A. Aldrich.

In testimony whereof, I have caused these Letters to be made Patent, and the seal of the Department of Justice to be hereunto affixed.

L. S.

Given under my hand at the City of Washington, the 21st day of March in the year of our Lord one thousand, eight hundred and ninety-two, and of the Independence of the United States of America the 116th.

Benj. Harrison.

By the President:

W. H. H. Miller,

Attorney General.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Myra Bradwell, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah H. Drummond it is ordered that William H. Mitchell, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James H. Castle it is ordered that Horace G. Stowe, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Wayward Harlan it is ordered that Frank L. Walker, Esquire, of New York City, be admitted to practice as an attor-

ney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. F. Saunders it is ordered that Allan R. Foy, Esquire, of Lexington, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States.		Appeal from the Circuit
1891.	vs. Appellants.	Court of the United States
David B. Budd and		for the District of
James B. Montgomery.		Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Brown.

Dissenting:

Mr. Justice Brown.

Josiah Burton.
210. vs. Plff. in Error.
William R. Davie, Stephen McP. Woodfin and Mary E. his wife, John McKenzie Davie & Allen Jones Davie.

In Error to the Circuit Court of the United States for the Western District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The City of Evansville.
120. vs. Plff. in Error.
The German American Bank.

In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas.

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to sustain the defendant's general demurrer and special demurrer and exception to the plaintiff's original petition, and to sustain the special exceptions and demurrers of the defendant to the plaintiff's supplemental petition, and to enter judgment thereon in favor of the defendant by dismissing both of said petitions with a general judgment for the defendant.

per Mr. Justice Blatchford.

Dissenting: Mr. Justice Harlan.
Mr. Justice Brewer and
Mr. Justice Brown.

190. James L. Waterman, Executor of Lorin W. Waterman, deceased vs. James M. Sawtelle, Executor of Wm. L. Waterman deceased. Appeal from the Circuit Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Harlan.

J. L. Porter, Appellant, vs. Appellant. James M. Banks, Executor of Abbie L. Waterman, dec'd. Appeal from the Circuit Court of the United States for the Northern District of California.

91.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Harlan.

The American Artificial Stone Pavement Co. Limited. vs. The Bitulithic Paving Company et al. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause having been called to the attention of the Court by Mr. Hector T. Fenton, of counsel for the appellant, and a stipulation to reverse the decree of the Circuit Court herein having been filed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company. vs. Plff. in Error.
188. J. L. Patterson, County Treasurer, &c.

On consideration of the motion to advance this cause It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The Monongahela Navigation Company ... Appellant &c. vs. Plff. in Error.
1122. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the third Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Sioux City & St. Paul Railroad Company. vs. Appellant.
1148. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said m-

tion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Oscar Rice ..... In Error to the Su-
1400 vs. Pff. in Error. ..... preme Court of the
Jane Suggs, Administratrix. State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

John Price, Administrator of the estate of William H. Price, deceased. In Error to the Circuit Court of the United States
219 vs. Pff. in Error. for the Eastern
The Detroit, Grand Haven and District of Michi-
Milwaukee Railway Company. gan.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

201. Jared W. Dillman, Appellant, vs. John C. Hastings and Philip J. Raimund, Administrators of Joseph Hastings, deceased, Appellees. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter

a decree for $13,913.95, with interest at six per cent. from February 12, 1886, to the date of the decree.

per Mr. Chief Justice Fuller.

The Southern Kansas Railway Company.
vs. Plff. in Error.
Jeremiah L. Briscoe.

In Error to the Circuit Court of the United States for the Western District of Arkansas.

569

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

per Mr. Chief Justice Fuller.

Otto Krauze et al.
1146 vs. Pffs. in Error.
C.B. Miller et al. Executors &c.
and
Adolph Lubenow et al.
1147 vs. Pffs. in Error.
W.H. Robertson, late Collector &c.

Mr. Benjamin Barker Jr. in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion that the Clerk be granted leave to issue the mandates in these cases.

John M. Gault.
281 vs. Appellant.
Robert Mc. Guire.

On motion of Mr. John Goode, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

The District of Columbia.
1338 vs. Plff. in Error.
Harry L. Hutton.

On motion of Mr. A.G. Dunnell of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Charles Foster.
266. vs. Appellant.
The Manufrd, Coldwater &c
Lake Michigan R.R. Co. et al.

On motion of Mr. W. Hallett Phillips, in behalf of counsel, Ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

The Northern Pacific R.R. Co.
1495 vs. Pff. in Error.
J. G. Ellis.

The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. W. G. Vilas, in support of the same, and Mr. D. H. Garland and Mr. A. G. Way in opposition thereto.

The Consolidated Bunging Apparatus Company.
255 vs. Appellant.
The Peter Schoenhofen Brewing Company.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation of counsel.

Simeon S. Church &c
James Mc. Vity.
238 vs. Appellants.
John Swann.

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Bernard Beer.
247. vs. Pff. in Error.
Thomas Mackin.

This cause was argued by Mr. Jefferson Chandler, of counsel for the plaintiff in error & Mr. John G. Dillon of counsel for the defendant in error.

Michael Crotty.
248. vs. Pff. in Error.
The Union Mutual Life Insurance Co. of Maine.

This cause was argued by Mr. Fredrick D. Mc. Kenney, of counsel for the plaintiff in error,

and Mr. Josiah H. Drummond, of counsel for the defendants in error.

The Red River Cattle Co., of Texas, et al. vs. Pltfs. in Error. Alfred Lully. 147

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Laurie Robertson and Mr. W. A. Davis of counsel for the plaintiffs in error, and Mr. J. W. Brown, of counsel for the defendants in error.

J. Brander Matthews et al., Executors etc. vs. Appellants. Caleb H. Warner et al. 201

The argument of this cause was commenced by Mr. William A. Abbott, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 29th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Ben Eli Guthrie Esquire of Macon, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Burdett it is ordered that William L. Sturk, Esquire of Sedalia, State

of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Phillips it is ordered that E. T. Breckinridge, Esquire of Pittsburgh, Justice Berry, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The New England Mortgage Security Company. vs. Eff. in Error. Jacob W. Gay.

Leave is given counsel for the plaintiff in error in this case to file briefs within ten days on the question whether the amount involved is sufficient for us to maintain our jurisdiction.

per Mr. Chief Justice Fuller.

221

Walter J. Kidd. vs. Appellants. William Smith Berry et al.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

224

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

J. Brander Matthews et al. Executors etc. Appellants
250. vs.
Caleb H. Warner et al.

The argument of this cause was continued by Mr. William A. Abbott, of counsel for the appellants, and Mr. Joseph B. Warner, of counsel for the appellees, and concluded by Mr. John C. Dillon, of counsel for the appellants.

The State of Missouri ex rel: and to the use of The Quincy, Missouri & Pacific R. R. Co. Plff. in Error.
256. vs.
Anderson W. Harris et al. Judges of County Court of Sullivan County, Mo

This cause was argued by Mr. John C. Butler, of counsel for the plaintiff in

error, and Mr. D. W. Mullins of counsel for the defendants in error.

The United States ex rel: Joseph B. Jones. vs. Peff in Error. The County Court of Macon County & the Judge thereof.

The argument of the cause was commenced by Mr. George A. Sanders of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday March 30th. 1892.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. A. Worthington it is ordered that B. L. Austin, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William W. Stickney et al. Appellants
vs
Charles B. Pinkney et al.

Mr. Thomas J. Geary, in behalf of counsel of appellants the

death of William W. Sickels, one of the appellants herein, and on his motion, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Service B. Chilcoat. vs. Plff. in Error. The Kansas City Stock Yards Company. — In Error to the Circuit Court of the United States for the Western District of Missouri.

268.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago, Milwaukee and St. Paul Railway Company. vs. The State of Iowa. — Appeal from the Circuit Court of the United States for the Southern District of Iowa.

1016.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago, Milwaukee & St. Paul Railway Co. vs. Spencer Smith et al., Commissioners etc.

147. Appeal from the Circuit Court of the United States for the Southern District of Iowa.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said motion, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The United States ex rel:
Joseph B. Jones.
257. vs. Pff. in Error.
The County Court of Wacon
County & the Judges thereof.

The argument of this cause was continued by Mr. George A. Saunders of counsel for the plaintiff in error, and Mr. Ben Eli Guthrie of counsel for the defendants in error, and concluded by Mr. George A. Saunders of counsel for the plaintiff in error, and leave was granted Mr. Joseph Shippen and Mr. Ben Eli Guthrie to file supplemental briefs for the plaintiff in error and defendants in error respectively on or before Saturday, April 2d.

George K. White, Admr. &c.
262 vs. Appellant.
Ira A. Rankin et al.

This cause was argued by Mr. E. J. Lippitt, of counsel for the appellee and submitted on printed arguments by Mr. W. D. Wheaton, of counsel for the appellant, and Mr. D. L. Swan, of counsel for the appellees.

260. B. Van Winkle & Company. Plffs. in Error. vs. Carter Crowell et. al. Defendants in error.

This cause was argued by Mr. A. C. Compton, of counsel for the defendants in error, and submitted on a printed argument by Mr. W. A. Gunter and Mr. J. D. Cromemore, of counsel for the plaintiffs in error.

262. John A. Sessions Appellant. vs. John M. Romadka et al.

268. John M. Romadka et al. Appellants. vs. John A. Sessions.

And

The argument of these cases was commenced by Mr. Charles B. Mitchell, of counsel for Sessions.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 31st, 1892.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr. C. A. Peabody it is ordered that Walter B. Hoyt, Esquire, of New London, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in that behalf by Mr. H. J. May it is ordered that William H. Johnson, Esquire, of Augusta, State of

New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Cockrell it is ordered that James C. Whiston Esquire, of Kansas City State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Cockrell it is ordered that Howard Henderson Esquire of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Quong Lee Lum. ... Appeal from the Circuit
176 ... vs. ... Appellant. ... Court of the United
James Rankin, Sheriff of ... States for the Northern
Contra Costa County, California. District of California.

This cause having been called for hearing in its regular order, and it appearing to

the Court that the parties have failed to print the transcript of the record. It is therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

James A. Eldredge, Ben R. Eldridge, Laura L. Hill, Frances G. Weber, and Jr. Grand Young, Executors of Horace S. Eldridge, deceased, and Francis Armstrong. ..... Appellants. vs. The United States. ..... Appellee.

Appeal from the Supreme Court of the Territory of Utah.

It appearing to the Court that a motion by counsel for the appellants to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

James A. Eldredge, Ben R. Eldredge
Lewis S. Hills, Thomas G. Webber, and
Le Grand Young, Executors of Horace
S. Eldredge, deceased and Francis
Armstrong.
vs. Appellants.
The United States.

Appeal from the Supreme Court of the Territory of Utah

It appearing to the Court that a motion by counsel for the appellants to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

162. John H. Sessions
vs. Appellant.
John W. Romadka et al.
and
John W. Romadka et al.
163. vs. Appellants.
John H. Sessions.

The argument of the cause was continued by Mr. Charles B. Mitchell, of counsel for Sessions, and Mr. G. C. Winkler, of counsel for Romadka et al. and concluded by Mr. Charles B. Mitchell, of counsel for Sessions.

Arthur W. Wardell. The argument of this
178 vs. Appellant. cause was commenced by Mr. D. W. Wardell, in propria persona, and continued by Mr. C. L. Croxcup, of counsel for the appellee.
The Union Mutual Life Insurance Co.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday Dec 1 1871

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.

Stephen J. Field.

John M. Harlan.

Horace Gray } Associate

Samuel Blatchford. } Justices

David J. Brewer.

Henry B. Brown.

John W. Wright, Esquire, Marshal

James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Wilbourby it is ordered that A. Babbit Williamson Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Ewing it is ordered that Charles J. Perkins, Esquire, of San Bernardino, State

of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

260. The New Albany & Company. vs. Peyton in Error. Caulay Crowell et al. Mr. H. B. Compton, of counsel for the defendants in error, suggested a diminution of the record herein, and moved the Court for a writ of certiorari. Whereupon, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded.

323. Allen Baker. vs. Plff. in Error. Thomas Gibson, and friend etc. Mr. Edw. A. Reeve, of counsel for the plaintiff in error, suggested the death of Allen Baker, the plaintiff in error herein, and moved the Court to make James L. Wilson and Samuel Hudson, Executors of the said Allen Baker, the parties plaintiffs in error in this cause. Whereupon, It is now here ordered by the Court that the said James L. Wilson and Samuel Hudson, Executors,

of Allen Baker, deceased, &c. and they are hereby made the parties plaintiffs in error hereon.

Marshall Ayres, Assignee etc. et al. vs. Michael W. Manning et al. — Appeal from the Circuit Court of the United States for the Southern District of Illinois

220 Appellants.

This cause having been called to the attention of the Court by Mr. John Maynard Harlan, of counsel for the appellants, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Henry Kittering Law. vs. The Chicago Cattle Loan and Land Co. — In Error to the Supreme Court of the State of Iowa.

281 Plff in Error.

This cause having been called for hearing in its regular order, and it appearing to the

Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Arthur W. Windett.
253 vs. Appellant.
The Union Mutual Life Insurance Co.

The argument of this cause was continued by Mr. C. S. Thomas, of counsel for the appellee, and concluded by Mr. Arthur W. Windett in person pro se, and leave was granted him to file an additional brief within one week.

Maria J. Gallaher
265 vs. Appellant.
H. C. Caldwell.

This cause was argued by Mr. John B. Allen, of counsel for the appellant, and Mr. John H. Mitchell, of counsel for the appellee.

B. P. Kilbam et al. vs Appellants. Morrell C. Keith. This cause was argued by Mr. E. T. Hamilton of counsel for the appellee, and submitted on a printed argument by Mr. W. H. Rossington, Mr. Charles B Smith, and Mr. E. C. Dallas of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, April, 4th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Robert McMurdy, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Hunter it is ordered that Daniel G. Adams, Esquire, of Kansas City, State

of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Way it is ordered that W. H. Hyatt, Esquire of Little Rock State of Arkansas & John Sawyer Hamm, Esquire, of New York City be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. G. Riddle it is ordered that Joseph Gallington and Charles Maurice Smith, Esquires of Washington District of Columbia be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Pillsbury it is ordered that A. O. Weston Smith, Esquire, of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

304. The Pope Manufacturing Company, Appellant, vs. R. Philip Gormully, Appellee. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

305. The Pope Manufacturing Company, Appellant, vs. The Gormully & Jeffery Manufacturing Company, R. Philip Gormully & Thomas B. Jeffery. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District

of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

The Pope Manufacturing Company, Appellant, vs. The Gormully & Jeffery Manufacturing Company & Philip Gormully & Thomas B. Jeffery. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs

per Mr. Justice Brown.

The Pope Manufacturing Company.
207. vs. Appellant.
The Gormully & Jeffery Manufacturing Company. R. Philip Gormully & Thomas B. Jeffery.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

The Pope Manufacturing Company.
208. vs. Appellant.
The Gormully & Jeffery Manufacturing Company, R. Philip Gormully & Thomas B. Jeffery.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Hiram A. McLane and Brown Buckman. Appeal from the Circuit Court of the United States for the Western District of Texas.

235 vs.

Appellants.

G. King & James A. King, composing the firm of G. King & Son, & The Helena Bridge Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Grand Trunk Railway Company of Canada.

341 vs

Albert Ives, Administrator of the estate of Elijah Smith, deceased.

In Error to the Circuit Court of the United States for the Eastern District of Michigan.

Plff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Lamar.

Announced by Mr. Justice Blatchford.

The Ship "Blue Jacket," her tackle &c. D. C. Mills, owner.

241 vs

The Pacific Mill Company.

Appeal from the Supreme Court of the Territory of Washington.

Appellant.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Washington, for further proceedings according to law.

per Mr. Justice Blatchford.

John O'Neil. ... In Error to the Supreme
vs. ... Court of the State
The State of Vermont. ... of Vermont.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and judged by this Court that the writ of error in this cause be, and the same is hereby,

dismissed for the want of jurisdiction.

per Mr. Justice Blatchford.

Dissenting:

Mr. Justice Gibb.

Mr. Justice Harlan

Mr. Justice Brewer.

Eugene Logan et al. vs. The United States. In Error to the Circuit Court of the United States for the Northern District of Texas

No. 696

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict, and to order a new trial.

per Mr. Justice Gray.

Mr. Justice Brewer was not present at the argument and took no part in the decision.

The United States		In Error to the Cir-
45.	vs. Pff. in Error.	cuit Court of the
George Scruges, Dennis		United States for the
Alexander, Isaac Lewis		Northern District of
and Charles Porter.		Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Grier.

The Columbia & Puget Sound		In Error to the Su-
Railroad Company.		preme Court of
240.	vs. Pff in Error.	the Territory of
Willard B. Hawthorne.		Washington

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington and was argued by counsel. On consideration whereof, It is

now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs: and that this cause be, & the same is hereby remanded to the Supreme Court of the State of Washington with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

The J. S. Keator Lumber Company. vs. Jeff in Error. Benjamin G. Thompson and Homer Root.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

242.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum

that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Harlan.

The Hartford Life & Annuity Insurance Company, Plff. in Error. vs. Emily Russell. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest in all paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Harlan

The Sinking Mining Company. Appeal from
1118 vs. Appellant. the Circuit
The State of South Carolina, ex Court of the
relations B. R. Tillman, Govern- United States
or, et al. constituting the Board for the Dis-
of Phosphate Commissioners of the trict of South
State of South Carolina. Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Bernard Beer. In Error to the Circuit Court
1147 vs. Def. in Error. of the United States for the
Thomas Mackin. District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and

was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska.

The Red River Cattle Company, of Texas, Frank Hoxton, B. F. Morris and John H. Belcher. vs. Alfred Sully. 249. Pffs. in Error.

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the

Monday, April 4th, 1892. Continued.

Courts of the State of Texas.
per Mr. Chief Justice Fuller.

The State of Missouri, at the
relation and to the use of the
Quincy, Missouri & Pacific Rail-
road Company.
vs. Pff. in Error.
Anderson W. Harris, George B. Todd.
& Thomas Montgomery, Judges
of the County Court of Sullivan
County, Missouri.

In Error to
the Supreme
Court of the
State of
Missouri.

250

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Roger M. Sherman.
45. vs. Plff. in Error. In Error to the
Irving Grinnell & George S. City Court of
Bowdoin, Executors of Moses New York.
H. Grinnell, deceased.

This cause came on to be heard on the transcript of the record from the City Court of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in the cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Albert H. Haspell. In Error to the Circuit
330. vs. Plff. in Error. Court of the United
The Northern Pacific Rail- States for the District
road Company. of North Dakota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to send it back to the District Court for the fifth judicial district, Mahoning County, North Dakota, & to return the original file to that Court.

per Mr. Chief Justice Fuller.

In parte: In the matter of John O. Shaw Jr. Trustee. Petitioner. Original.

On motion of Mr. Attorney General Miller leave is hereby granted him to file a printed brief herein.

1490 Clyde Walton Plff in Error vs. The United States

Mr. Attorney General Miller, of counsel for the defendant in error, submitted to the consideration of the Court on leave to advance this case

1503 Alexander Lewis Plff in Error vs. The United States

C. A. Benson. Mr. Solicitor General Al-
189. vs. Pff. in Error. drich, of counsel for the
The United States. defendant in error, sub
mitted to the consider-
ation of the Court a motion to advance this cause.

The United States
120. vs. Appellant.
The Old Settlers etc.
(2)
The Old Settlers etc.
121 vs. Appellants.
The United States.

The motions for a writ of certiorari and to advance these cases were submitted to the consideration of the Court on printed arguments by Mr. John Paul Jones, Mr. Reese H. Voorhees and Mr. A. H. Garland, in support of the same, and Mr. Attorney General Miller, and Mr. Assistant Attorney General Colton, in opposition to the motion for a writ of certiorari.

D. B. Woodall et al.
1160 vs. Pffs. in Error.
Bach Coal Company.

On motion of Mr. Charles N. Aldrich, of counsel for the plaintiffs in error, leave is hereby granted to withdraw the transcript of the record in this cause for the purpose of correction.

C.B. Cox et al. vs. Pffs in Error. E. J. Hart. — The motion to vacate the submission of this cause under the 20th rule was submitted to the consideration of the Court by Mr. A. B. Paine in support of the same, and Mr. W. Hallett Phillips in opposition thereto.

No 139. The Chicago, Rock Island & Pacific Railway Company, Appellant, vs. The State of Iowa. — Appeal from the Circuit Court of the United States for the Southern District of Iowa.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Chicago, Rock Island & Pacific Railway Company. vs. Appellant. Spencer Smith et al. Commissioners &c.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

40.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The National Exchange Bank of Baltimore, Md. vs. Appellant. W. H. Peters Receiver &c. et al.

The motion to dismiss in this cause was submitted to the consideration of

1869.

the Court on the record and printed arguments by Mr. C. W. Hughes and Mr. A. P. Brown, in support of the same, and Mr. W. G. Brick, in opposition thereto.

The New York & New England Railroad Company ... vs. ... Pff. in Error ... Harriet L. Ramsey et al.

1179.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Laurence Gothrie, in support of the same, and Mr. W. B. Anthony, in opposition thereto.

E. L. Underwood et al. vs. Appellants. The Metropolitan National Bank of the City of New York et al.

270

Mr. James C. Hunter, of counsel for the appellants, suggested the death of John J. Martin, one of the appellees, and moved the Court that Eliza Martin, Executrix of the said John J. Martin, be made a party appellee, pursuant to a stipulation of counsel. Whereupon, it is now here ordered by the Court that the said Eliza Martin, Executrix of John J. Martin, deceased, be, and she is hereby, made a party appellee hereto.

G. L. Underwood et al. vs. The Metropolitan National Bank of the City of New York et al. Appellants.

This cause was argued by Mr. James G. Wister, of counsel for the appellants and submitted on a printed argument by Mr. C. O. Richeson, of counsel for the appellees.

William H. Robertson, late Collector etc. vs. Bernard J. Salomon et al. Pff. in Error.

The argument of this cause was commenced by Mr. Assistant Attorney General Parker, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Tuesday. April 5th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. — Associate
Samuel Blatchford. — Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. B. Pillsbury it is ordered that James E. Potter, Esquire, of Solon State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Clyde Waller.
v. Off. in Error.
The United States.

No. 90.

On consideration of the motion to advance this cause, it is now here

ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the 26th inst and at the head of the call.

C. A. Benson
489 ... vs. ... Pff. in Error.
The United States.

and

Alexander Lewis
508 ... vs. ... Pff. in Error.
The United States.

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the third Monday of the next term after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

C. A. Benson.
489 ... vs. Pff in Error.
The United States.

Ordered by the Court that the transcript of the record in this cause be printed at the public expense.

per Mr. Chief Justice Fuller.

U. S. Robertson Late Collector &c.		The argument of this
273	vs. Pff. in Error.	cause was
Bernard J. Saborowski et al.		continued

by Mr. Assistant Attorney General Parker, of counsel for the plaintiff in error and Mr. Edwin C. Smith, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Parker, of counsel for the plaintiff in error.

The Lehigh Valley R.R. Co.		On motion of Mr
428	vs. Pff. in Error.	U. S. Dimond of coun-
The Commonwealth of		sel for the plaintiff
Pennsylvania.		in error, It is or-
	&c	dered by the Court
The Lehigh Valley R.R. Co.		that these cases be
429	vs. Pff. in Error.	advanced and as-
The Commonwealth of		signed for argument
Pennsylvania.		with case 375 & 276.

The Lehigh Valley R.R. Co.		These cases
375	vs. Pff. in Error.	were argued
The Commonwealth of Pennsylvania		by Mr. U. S.
	and	Dimond, of

	The Lehigh Valley R.R. Co.	counsel for
57.	vs. Pff. in Error.	the Plaintiff
	The Commonwealth of Pennsylvania	in error, and
	The Lehigh Valley R.R. Co	Mr. James
428.	vs. Pff. in Error.	A. Strawbridge, of counsel for the
	The Commonwealth of Pennsylvania	
	and	defendant
	The Lehigh Valley R.R. Co	in error.
429.	vs. Pff. in Error.	
	The Commonwealth of Pennsylvania.	

22. Isaac H. Osbriff, appellant vs. John A. Osbriff et al.
279. John A. Osbriff et al, Appellants, vs. Isaac H. Osbriff

These cases were argued by Mr. Henry L. Norman of counsel for John A. Osbriff et al. and Mr. D. W. Boynton, of counsel for Isaac H. Osbriff.

	Siegmund Meyerheim et al	The argument
279.	vs. Pffs. in Error.	of this cause
	U. S. Anderson, Late Collector &c.	was commenced by Mr. Edwin B. Smith, of counsel for the plaintiffs in error.

Court then being made the Court is adjourned until to-morrow at 10 o'clock.

Wednesday, April 6th, 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field. ..... Associate
John M. Harlan
Horace Gray.
Samuel Blatchford. ..... Justices
David J. Brewer
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that Grant W. W. Critchow, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Pillsbury it is ordered that John Herbert, Esquire, of Boston, State of Mass-

achusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Washington & Georgetown Railroad Company. — Appellant.
288. vs.
The District of Columbia et al. — Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per Stipulation of counsel.

Asenath A. Ware et al. — Appellants.
289. vs.
The Galveston City Company. — Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per Stipulation of counsel.

Siegmund Weyerhaus et al. — Plffs. in Error.
279. vs.
W. H. Robertson, late Collector etc. — The argument of this cause was continued by Mr. Edwin C. Smith, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Parker, of counsel for the defendant in error and concluded by Mr. Edwin C. Smith, of

counsel for the plaintiffs in error.

John P. Brown. This cause was argued
837 vs. Pff in Error. by Mr. R. D. Weston Lunan,
The Commonwealth of of counsel for the plain-
Massachusetts. tiff in error, and Mr.
A. E. Pillsbury, of coun-
sel for the defendant in error.

1301 The United States, Appellant vs The Boston Wharf & Land Co et al.
1302 " " " " vs The Southern Pacific R.R. Co. Del.
1874 " " " " " " " " " " "
1875 " " " " " " " " " " "

On motion of Mr. Assistant Attorney General Maury, of counsel for the appellant, It is ordered by the Court that one hour additional be allowed counsel on each side for the argument of these cases.

The argument of these cases was commenced by Mr. Assistant Attorney General Maury, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday April 7th 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray. Associate
Samuel Blatchford Justices
David J. Brewer.
Henry B. Brown

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. R. Bond it is ordered that Fletcher Ladd, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Smith it is ordered that A. O. Barton, Esquire, of Winchester, State of New

ginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Otto Heinze et al. ... On consideration
146. vs. Plffs in Error. of the motion that
C.B. Miller et al Executors etc. the Clerk be grant-
ed leave to issue
Adolph Lubenow et al. the mandate in
147. vs. Plffs. in Error. these cases, it
W.N. Robertson, Late Collector etc is now here or-
dered by the Court.
that said motion be, and the same is hereby, granted.
per Mr. Chief Justice Fuller.

Elizabeth F. Bell Executrix etc. Appeal from the Circuit
293. vs. Appellant. Court of the United
Joseph B. Cumming et al, States for the Southern
Executors etc. District of Georgia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered

ed adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1301. The United States, Appellant vs The Central Pacific R.R. Co. et al.
1302. " " " " The Southern Pacific R.R. Co. et al.
1374. " " " " " " " " " "
1375. " " " " " " " " " "

The argument of these cases was continued by Mr. Assistant Attorney General Maury, of counsel for the appellants, and Mr. James C. Carter, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Court met to adjourned the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury, it is ordered that Cyrus P. Fluck, Esquire, of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Theodore L. Lynde et al. Appeal from the Supreme
245. vs Appellants. Court of the Territory
Louis Sperling. of Montana.

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with cost.

And it is further ordered that this cause be and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

301 The United States, Appellant vs. The Central Pacific R.R. Co. et al.
1302 " " " " vs. The Southern Pacific R.R. Co. et al.
1374 " " " " " " " " " " " "
1375 " " " " " " " " " " " "

The argument of these cases was concluded by Mr. John C. Chaney of counsel for the appellant.

Joseph Steri. vs. Sarah Scalzo et al., Executors etc.. Appellants.

The cause was argued by Mr. Joseph P. Hornor of counsel for the appellants, and Mr. George

J. King of counsel for the appellee.

J. W. Washington, Admr. et al. vs. H. L. Opie — Appellants — 282.

The argument of this cause was commenced by Mr. Marshall Mr. Dennis of counsel for the appellants and continued by Mr. Robert White of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April, 11th. 1892.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
Samuel B. Hoch[illegible] Justices
David J. Brewer
Henry B. Brown
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the forenoon by Mr. L. B. Burr it is ordered that George H. Hastings, Esquire of Crete and Charles L. Burr, Esquire, of Lincoln State of Nebraska be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this forenoon by Mr. W. Scott Phillips it is ordered that Joseph L. Wilson, Esquire of Minneapolis, State of

Wunsocka be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. A. A. Ayers it is ordered that C. E. Built, Esquire of Big Stone Gap, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Eliza L. Smith, Executrix of Byron M. Smith, deceased.
vs. Appellant.
Artemas Hale, Helen G. Hale, Kenyon & Ulbric Grigsby.

Appeal from the Supreme Court of the Territory of Dakota.

255

The cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Dakota and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs: and that this cause

be, and the same is hereby remanded to the Supreme Court of the State of South Dakota

per Mr. Justice Brown.

The Watertown Gas & Steam Company. Plff. in Error
vs.
Theodore A. Blake

In Error to the Circuit Court of the United States for the Southern District of New York.

89

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is hereby ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Justice Brewer

Truman C. Dodge and Ellen A. Dodge. vs. L. W. Pullys Trustee, Cornell University et al.

Appeal from the Circuit Court of the United States for the District of Nebraska.

336

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be modified by reducing the amount found due Truman Pullys and Company to $1,094.16 and the attorneys fee from $1,000 to $500, and, as so modified, be, and the same is hereby, affirmed the costs in this Court to be paid by the appellee.

per Mr. Justice Brewer.

The Northern Pacific Railroad Company. vs. Dominick Amato.

In Error to the United States Circuit Court of Appeals for the Second Circuit.

1508. Pff in Error.

This cause came on to be heard on the Transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs: And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Southern District of New York for further proceedings.

per Mr. Justice Blatchford.

Dissenting:
Mr. Justice Brewer &
Mr. Justice Brown.

Belford, Clarke & Company,		Appeal from the
Richard A. Donohue and		Circuit Court of
William C. Hemmeberry.		the United States
226.	vs. Appellants	for the Northern
Charles Scribner		District of Illinois.

This cause came on to be heard on the Tran-

cript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with cots and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Illinois.

per Mr. Justice Blatchford.

Joseph T. Torrence. Appeal from the Cir-
244 vs Appellant cuit Court of the United
Susan M. Judd, John B. States for the Northern
Brown, Thomas F. Doyle et al District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed for want

of jurisdiction costs in this Court to be taxed to the appellant: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render a decree against him for costs in that Court, and to remand the case to the State Court.

per Mr. Justice Gray

D. W. Hazen and C. J. Newlands, Trustees, Appellants
vs.
J. Randolph Tucker et al. Appellees

Appeal from the Supreme Court of the District of Columbia

216

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed, each party to pay his own costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with direction to enter a decree declaring the title of the complainants to the premises des-

cured in their complaint, by adverse possession of the parties through whom they claim, to be complete, and that the defendants be enjoined from asserting title to the said premises through their former owner.

per Mr. Justice Field.

Edward J. Hellwagen, Thomas W. Gale and George E. Hamilton, Executors of Thomas J. Fisher, deceased
vs. Appeal from the Supreme Court of the District of Columbia.
217. Jessie Adelaide Sunderland.
vs.
J. Randolph Tucker et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed, each party to pay his own costs: and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a decree declaring the

title of the appellants to the premises described in the bill of complaint, by adverse possession of the parties through whom they claim, to be complete, and that the defendants be enjoined from asserting title to the said premises through their former owner

per Mr. Justice Gray.

G. B. Cox et al.
126 vs. Pffs. in Error.
E. J. Hart.

On consideration of the motion to vacate the submission of this cause under the 20th rule, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The New York & New England
Railroad Company.
177 vs. Pff. in Error.
Harriet S. Ramsey et al.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm herein be, and the same is hereby, postponed until the hearing

of the cause on its merits.

per Mr. Chief Justice Fuller.

The United States.
1550. v. Appellants.
The Old Letters etc.
And
The Old Letters etc.
1551 v. Appellants.
The United States.

On consideration of the motions for a writ of certiorari herein, and to advance these cases. It is now here ordered by the Court that the motion for a writ of certiorari be, and the same is hereby, granted, and that the motion to advance be, and the same is hereby, denied, with leave to renew the same at the next term.

per Mr. Chief Justice Fuller.

The United States ex rel:
Joseph B. Jones.
1547 v. Pff in Error
The County Court of Macon
County & the Judges thereof.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

B. F. Kellam and O. N. Holladay.
v. Appellants.
Morrell G. Keals

Appeal from the Circuit Court of the United States for the District of Kansas.

167.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court and in the Circuit Court to be paid by the appellants: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand it to the

State Court.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company. vs. J. P. Ellis. — In Error to the Supreme Court of the State of Wisconsin.

1495. Jeff. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Charles L. Pickler, Ex Charles Cooper and Edward W. Cooper, partners under the style of Cooper and Company. vs. The Taxing District of Shelby County, Tennessee Ex Andrew J. Harris. — In Error to the Supreme Court of the State of Tennessee.

97. Cyps. in Errors.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Harlan.

The Chief Justice announced that as Friday next would be Good Friday the Court would adjourn on Thursday until Monday next: that the call of the docket would cease on Friday, the 29th instant, and that the Court would take a recess from Monday, May 2d to Monday, May 16th.

The United States, Plff. in Error, vs. The Boston & Albany Railroad Company, Deft. in Error. In Error to the Circuit Court of the United States for the District of Massachusetts

Monday, April 11th, 1864. Continued.

This cause having been called to the attendance of the Court by Mr. Solicitor General Biddle, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, costs in the Court to be paid by the defendant in error.

per Mr. Chief Justice Taney.

Daniel Wagoner, Collector of the Port of New York. Pltf in Error. vs. Jesse L. Sydenburgh. Def in Error.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attendance of the Court by Mr. Solicitor General Biddle, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Taney.

The Southern Kansas Railway Company. vs. Jeff. in Error. Jeremiah T. Briscoe. 169

On motion of Mr. H. J. Way, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Eugene Logan, Sam Waggoner & Marion Wallace. vs. Appellants. George A. Knight, Marshal of the United States for the Northern District of Texas. 345

Appeal from the Circuit Court of the United States for the Northern District of Texas.

This cause having been called to the attention of the Court by Mr. H. J. Way, of counsel for the appellants, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Marion Clarke. Appeal from the Su-
518. vs. Appellant preme Court of the Ter-
The United States. ritory of Montana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana.

per Mr. Chief Justice Fuller.

L. W. Washington, Admr. &c. The argument
282. vs. Appellants. of this cause
H. L. Opie. was continued
by Mr. Robert
White, of counsel for the appellee, and concluded by Mr. R. G. Barlow, of counsel for the appellants.

Ant Miller. ..... The argument of this
183. vs. Plff. in Error. cause was commenc
Ernst Ammon. ed by Mr. C. C. Cole,
of counsel for the Plain
tiff in error.

Proclamation being made the Court is adjourned
until to-morrow at Twelve o'clock.

Tuesday, April 18th, 1882.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

James A. Briggs, Executor etc. On motion of Mr.
vs. Appellant. Chas. C. Thompson,
The United States. Jr. of counsel for
the appellant, leave

is hereby granted the Clerk to issue the mandate in this cause

Wharton C. Holtsbury Ordered by the Court
et al., Executors etc. that this cause be,
300 vs. Appellants. and the same is
The United States. hereby, continued

until the next term, for stipulation of counsel.

Ant Miller. ... The argument of this cause
278 vs. Pff in Error was continued by Mr. C. C.
Brush. Cannon. Cole, of counsel for the
plaintiff in error, and
Mr. Edgar B. Blunt of counsel for the defend-
ant in error, and concluded by Mr. C. C. Cole,
of counsel for the plaintiff in error.

Artemus Roberts. ... This cause was argued
286 vs. Pff in Error. by Mr. J. K. Orrick of
Walter E. Lewis. counsel for the plaintiff
in error, and Mr. L. C.
Burr, of counsel for the defendant in error.

The St. Joseph & St. Louis
Railroad Company. ... The argument
287 vs. Appellant. of this cause
Lobar Humphreys & al., was commenc-
Executors &c. ed by Mr. E. M.
Pattison, of coun-
sel for the ap-
pellant. The Court declined to hear further
argument.

291. The United States. ... vs. ... Plaintiff. George R. Balcom.

The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Parker, of counsel for the plaintiff and Mr. C. A. Collins, of counsel for the defendant.

292. Charles A. Gregory et al. ... vs. ... Appellants. The Boston Safe Deposit & Trust Company et al.

The argument of this cause was commenced by Mr. G. A. Brooks, of counsel for the appellants, and continued by Mr. G. H. Ballou, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 13th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Samuel Blatchford
David J. Brewer
Henry B. Brown
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. Webster it is ordered that A.P. Atmore, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Morgan it is ordered that John A. W. Lundie, Esquire, of Birmingham, Ala.

of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles A. Gregory et ab. vs. The Boston Safe Deposit and Trust Company et ab. 395. Appellants. The argument of this cause was continued by Mr. E. H. Gillett and Mr. John Lowell, of counsel for the appellees, and concluded by Mr. C. A. Brooks, of counsel for the appellants.

James W. Kendall et ab. vs. The New Guaco Silver Mining Co. 394. Pffs. in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. F. Wells and Mr. R. F. Mc. Neal, of counsel for the plaintiffs in error, and Mr. A. E. Britton, & Mr. A. B. Browne, of counsel for the defendants in error.

Joseph Burrer, Admr. etc. vs. James M. Perris, Receiver etc. 396. Appellant. This cause was argued by Mr. S. F. Brunbuck,

of counsel for the appellant and Mr. A. W. Scott, of counsel for the appellee.

W. H. Barnett. vs. Pfff. in Error. The City of Denison. 297.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. H. Chilton of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

On motion duly made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 11th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. — Associate
Samuel Blatchford. — Justices.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. D. Shipman it is ordered that Joseph H. Parsons, Esquire, of Birmingham State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Daniel B. St. John. — In Error to the Circuit Court
321. vs. — Jff. in Error. — of the United States for the
The City of Toledo, Ohio. — Northern District of Ohio.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Francis B. Thurber.
299. vs. Appellant.
Gilbert W. Richardson.
And
Mrs. Mary A. W. Thurber.
483. vs. Appellant.
Gilbert W. Richardson et al.

These cases were argued by Mr. A. S. Bectwith of counsel for the appellants, and Mr. Thomas J. Semmes, of counsel for the appellee.

Sierra Felix et al.
301. vs. Appellants.
William T. Patrick et al.

The argument of this cause was commenced by Mr. W. D. Shipman, of counsel for the appellants, continued by Mr.

John L. Webster, of counsel for the appellees, and concluded by Mr. J. B. Cowin, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 18th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer
Henry B. Brown

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. J. G. George it is ordered that William G. Yerger, Esquire, of Greenville, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Samuel G. Phillips it is ordered that Robert C. Burton, Esquire of Raleigh,

State of North Carolina, to admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Wood Lucas it is ordered that Henry C. Flower, Esquire of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Eleanor Herbst. In Error to the Cir-
212. vs. Iff in Error. cuit Court of the
The Independent District United States for
of Riverside, in the County the Northern Dis-
of Lyon. trict of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Michael Scully		In Error to the Cir-
248 vs.	Cty in Error	cuit Court of the Un-
The Union Mutual Life		ited States for the
Insurance Company of		Northern District
Maine.		of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause in this the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Mr. Justice Gray was not present at the argument and took no part in the decision of this case.

George H. White, Administrator of George W. White, dec'd		Appeal from the Circuit Court
267 vs.	Appellant	of the United
Asa P. Hankins, A. P. Brayton, John Howell & James M. Thompson.		States for the Northern District of California.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to hear it upon the merits.

per Mr. Justice Bradley.

William H. Robertson late Collector of the Port of New York. vs. Bernard J. Salomon & Samuel Wendt Phillips.

In Error to the Circuit Court of the United States for the Southern District of New York.

372.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

ment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial, and to take further proceedings in conformity with the opinion of this Court.

per Mr. Justice Blatchford.

Siegmund Meyerheim, William Kempner & Henry Strahlheim. vs. William H. Robertson, Late Collector of the Port of New York.

279. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

	Arthur W. Wheeler	Appeal from the
258.	vs. Appellant	Circuit Court of
	The Aetna Mutual Life	the United States
	Insurance Company	for the Northern Dis-
	of Illinois	trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Illinois.

per Mr. Justice Gray.

	John C. Brown	In Error to the Su-
839.	vs. Pff in Error.	preme Court of the
	The Commonwealth of	State of Massachu-
	Massachusetts.	setts.

This cause came on to be heard on the tran-

cript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

Samuel H. Pendleton Executor
S. Dixon & Charles V. Dixon, her husband, Mary S. Pendleton and Francis H. Pendleton. — In Error to the Supreme Court of the State of New York.

236 vs. Plaintiffs in Error.

Charles H. Russell, Receiver of the Knickerbocker Life Insurance Company.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field

E. J. Sage
61. vs. Pltf in Error.
The Board of Liquidation
of the State of Louisiana.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

John I. Adams & Co.
187. vs. Pltf in Error.
The Board of Liquidation
of the State of Louisiana.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and

the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Gray.

(300) The United States, Appellant vs. The Port Wardens' Union Co. et al.

302. " " " " " The Southern Pacific R.R. Co. et al.

374. " " " " " " " " " "

375 " " " " " " " " " "

It is ordered by the Court that these cases be, and the same are hereby restored to the docket for reargument before a full bench of nine judges.

per Mr. Chief Justice Fuller.

The National Exchange Bank of Baltimore, Maryland. vs. U.S. Natl. Bank, Receiver of the Exchange National Bank, of Norfolk, Virginia. et al. Appellants.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

(349) Dismissed, et als.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Eastern District of Virginia and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by the Court that the appeal be and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

William Crawford.
186. vs. Appellant.
Charles A. Heal.

and

Charles A. Heal.
278. vs. Appellant.
John A. Crawford and
Asbury Pearce.

Appeals from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in

the cause be, and the same is hereby affirmed, each appellant to pay the costs of his appeal

per Mr Chief Justice Fuller.

Daniel Wagoner Collector etc. vs. Jesse L. Blydenburgh. Peff. in Error. On motion of Mr. Solicitor General Aldrich, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

816.

The United States vs. Charles L. Pilch Appellant Appeal from the District Court of the United States for the Western District of Michigan.

277

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the appellant, and he having moved the Court to dismiss this cause.

Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States. Appeal from the Circuit Court
(283) v. Abelbaut. of the United States for the
Thomas P. Bashaw. Eastern District of Missouri

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States. Appeal from the Circuit Court
(1151) v. Appellant. of the United States for the
Ralph L. Goodrich. Eastern District of Arkansas

This cause having been called to the attention of the Court by Mr Solicitor General Aldrich, of counsel for the appellant. and he having moved the Court to dismiss this cause Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the

same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States		Appeal from the Circuit Court
1474.	vs.	of the United States for the
William C. Perry.		District of Kansas.

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Fuller.

The United States.		Appeal from the Circuit Court
1005	vs.	of the United States for the
John B. Clough.		Western District of Tennessee

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the appellant, and he having moved the Court to dismiss this cause

Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States — In Error to the Circuit Court
1555 v. — Pff. in Error. — of the United States for the
George W. Baxter. — District of Minnesota.

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the plaintiff in error, and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

James Sullivan et al. — Mr. W. L. Pippin, of
1556 v. — Appellants. — counsel for the ap-
Henry E. Mc. Kee et al. — pellants, suggested
the death of John
H. B. Latrobe, one of the appellees in this cause;

and moved the Court for an order, under the 15th Rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said John H. B. Latrobe, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record, and on hearing have the decree reversed, if it be erroneous: Provided, however, That a copy of this order shall be published in some newspaper of general circulation within the District of Columbia for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

James H. Crider. Appellant
vs.
Steele & Walker, a firm composed of Dudley M. Steele & J. W. Walker.

No. 1546.

Mr. Charles Blood Smith, of counsel for the appellees, having filed in open Court the following certificate, to wit:

Monday, April 18th, 1892. Continued.

"The United States of America.
United States Court, Indian Territory.
First Judicial Division. } ss.

Steele & Walker, a firm composed of Dudley W. Steele & J. W. Walker.
Plaintiffs

vs.

Mackey & Company, a firm composed of E. B Mackey & Thomas Jones.
Defendants

and James H. Crider.
Interpleader.

I, William Wilson, Clerk of the United States Court of the First Judicial Division, Indian Territory, do hereby certify that at a Stated Term of the said United States Court in the Indian Territory, First Judicial Division, on the 16th day of May, A.D. 1890, there were had certain proceedings in a certain cause then pending wherein Steele and Walker a firm composed of Dudley W. Steele and J. W. Walker were plaintiffs, and Mackey and Company, a firm composed of E. B Mackey and Thomas Jones, were defendants, and J. H. Crider was interpleader,

wherein and whereby the said Hale & Wachs upon the verdict of a jury returned in said cause, recovered a certain judgment against the said J. H. Crider interpleader, and against certain goods, merchandise and a store house then in the possession of the said J. H. Crider, and upon non-delivery of said property to the United States Marshal for the Indian Territory by said Interpleader that an execution issue on the return of the facts in the fore facias by said Marshal against J. H. Crider, John A. Cragun, Edgar Henderson, A. C. Moore, W. L. Grosvenor, H. Allen and J. B. Foss, bondsmen of said interpleader, for the sum of four thousand dollars or so much thereof as should be sufficient to satisfy the damages and costs taxed out and expended in said suit

And that afterwards, to wit: on the 17th day of May, 1890, upon application of said James H. Crider the said Court granted an appeal to the United States Supreme Court from said judgment, and that afterwards, to wit: on the 20th day of August, 1890, said James H. Crider filed in said action his certain supersedeas bond for appeal, which was approved

by the Clerk of said Court.

And I do hereby further certify, That no transcript of said proceedings was ever certified by me for such appeal.

In witness whereof, I have hereunto set my hand and affixed the seal of said Court at Muskogee Indian Territory this 10th day of August A.D. 1891.

{Seal}.

Wm. Wilson.

Clerk U.S. Court in the Indian Territory.

Moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that the appeal from the United States Court in the Indian Territory be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said United States Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Fuller

Leonard Mackall et al. ... Mr. J. J. Hinkle,
No. 1889. vs. ... Appellants. ... of counsel for
Brooke Mackall Jr. et al. ... the appellants,
submitted to
the consideration of the Court a petition for
leave to file a bill of review in this cause in
the Supreme Court of the District of Columbia.

John Cadwalader, Collector &c. ... Ordered by
334. vs. ... Pff. in Error. ... the Court
John Wanamaker et al. ... that this
cause be,
and the same is hereby, continued until the
next term, per stipulation of counsel.

327. S. W. Goode, Appellant, vs. Wm. H. Gaines & Maria Gaines
302. George H. Smith, " " " " " " " "
308. Patrick Dugan, " " " " " " " "
304. Charlotte Colin. " " " " " " " "
305. R. B. Allen " " " " " " " "
306. James Madison " " " " " " " "
307. O. B. Augg, " " " " " " " "
308. Algernon S. Garnett, " " " " " " " "
309. Algernon S. Garnett, " " " " " " " "
310. O. B. Augg, " " " " " " " "

311 Elvira Erwanger, Appellant vs. U.S.A. Vs. Maria Vanes

312. Otto Neubert, " " " " " " "

313. J. J. Sumpter et al, " " " " " " "

314. George G. Latta. " " " " " " "

315. George G. Latta. " " " " " " "

Mr W. W. Ross, of counsel for the appellees, suggested the death of Maria Vanes one of the appellees herein, and moved the Court to rule Albert A Vanes Executor, and William H. Vanes, Jr, Vanes G. Williamson Louisa G. Brodell, Arthur L. Vanes, Augusta Hill, Mary P. Vanes and Albert A. Vanes, sole devisees and legatees of the said Maria Vanes parties appellees in these cases, per stipulation of counsel. Whereupon, It is now here ordered by the Court that the said Albert A Vanes, Executor, and William H. Vanes Jr. — Vanes G. Williamson, Louisa G. Brodell, Arthur L. Vanes, Augusta Hill, Mary P. Vanes and Albert A Vanes, sole devisees and legatees of Maria Vanes, deceased, be, and they are hereby made parties appellees in these cases

297. B. W. Goode, Appellant, vs. Wm. H. Grimes et al.
298. George H. Smith, " " " " "
303. Patrick Dugan, " " " " "
304. Charlotte Colin, " " " " "
305. R. B. Allen, " " " " "
306. James Madison, " " " " "
307. D. C. Rugg, " " " " "
308. Algernon S. Garnett, " " " " "
309. Algernon S. Garnett, " " " " "
310. D. C. Rugg, " " " " "
311. Viva Granger, " " " " "
312. Otto Neubert, " " " " "
313. John J. Lumpkin et al. " " " " "
314. George G. Latta, " " " " "
315. George G. Latta, " " " " "

These cases were argued by Mr. John W. Mills, of counsel for the appellants, and Mr. U. M. Rose, of counsel for the appellee.

316. Julia A. Jenkins et al. vs. William A. Bullard. Plffs in Error. This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. S. A. Miller of

counsel for the plaintiffs in error, and Mr. J. D. Brannon, of counsel for the defendant in error.

Joseph B. Willard. vs. Henry K. Willard. 3/8 Appellant.

This cause was argued by Mr. W. P. Watkins, of counsel for the appellant, and Mr. W. E. Morris, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, April 17th. 1872.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Nathan C. Gulb
John M. Harlan
Horace Gray. Associate
Samuel Blatchford. Justices
Noah H. Swayne
Henry B. Brown
John M. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. William D. Baldwin it is ordered that Lloyd B. Wood, Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George G. Latta. ... Mr. W. W. Rose, of counsel for the appellee, by leave of the Court
316 vs. Appellant.
William H. Crane et ab.

filed a stipulation to correct the record in this cause.

The Hamilton Gas Light & Coke Company. Appellant.
328. v.
The City of Hamilton.

Ordered by the Court that this cause be, & the same is hereby, continued until the next term, per stipulation of counsel.

Isaac P. Rupp. Appellant.
331. v.
Frederick A. Souder.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Franklin Telegraph Company et al. vs. Appellants. John Harrison et al.

319.

The argument of this cause was commenced by Mr. John Dillon, of counsel for the appellants, continued by Mr. S. S. Hollingsworth and Mr. R. C. Mc. Murtrie, of counsel for the appellees and concluded by Mr. Rush Taggart, of counsel for the appellants

Delos E. Culver. vs. Pff. in Error. George Wilkinson, Receiver etc.

328.

The argument of this cause was commenced by Mr. R. Floyd Clarke, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Wednesday. April 30th 1879.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr J. Hubley Ashton it is ordered that Howard Morris, Esquire, of Milwaukee, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John L. Harder. Ordered by the Court
541. vs. Appellant. that this cause be
Benjamin J. Wilson. and the same is here-

by, continued until the next term, per Stipulation of counsel.

345 George V. McCourkey, Trustee, vs. Appellants. The Toledo & Ohio Central R.R. Co. et al. Ordered by the Court that this cause be and the same is hereby, continued until the next term, per Stipulation of counsel.

360 Henry Root. vs. Appellant. The Third Avenue Railroad Company. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per Stipulation of counsel.

364 Henry W. Pope, Assignee &c. vs. Pff. in Error. William H. Wallace. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per Stipulation of counsel.

	Isaac W. Perkins.	Appeal from the Circuit
333	vs. Appellants.	Court of the United States
	The Nancy Manufacturing	for the Western Dis-
	Company & Elijah Nancy.	trict of Michigan.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to furnish the transcript of the record. It is, therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The Oregon Railway and	This cause was
	Navigation Company.	submitted to the
445	vs. Eff. in Error.	consideration of
	The Oregonian Railway Co.,	the Court on a
	Limited.	printed argu-
		ment by Mr. J.

M. Dolph of counsel for the plaintiff in error.

228.	Delos B. Culver. ... to ... Pff. in Error. ... George Wilkinson, Receiver etc.	The argument of this Cause was continued by Mr. B. Floyd Clarke, of

counsel for the plaintiff in error, and Mr. R. Wayne Parker and Mr. Gotthardt Parker, of counsel for the defendant in error, and concluded by Mr. B. Floyd Clarke, of counsel for the plaintiff in error

322.	James A. Hudson & Samuel Hudson, Executors etc. ... to ... Pffs. in Error. ... Thomas Kilgore, next friend etc.	This Cause was argued by Mr. A. A. Sugeroot, of counsel for the defendant in error, and

submitted on a printed argument by Mr. Felix A. Reeve, of counsel for the plaintiffs in error.

323.	Margaret B. Freeman ... to ... Appellant. ... George Asmus.	The argument of this Cause was commenced by Mr. W. D. Baldwin, of counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 5th 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. Anthony Pollok it is ordered that Philip Maury, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The City of Augusta. In Error to the Circuit Court
340 vs. Def. in Error. of the United States for
Charles Bard. the District of Georgia

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the Transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs

per Mr. Chief Justice Fuller.

328. Margaret C. Freeman vs. George Asmus. Appellant. The argument of this cause was continued by Mr. W. D. Baldwin, of counsel for the appellant, and Mr. T. B. Kerr, and Mr. William Bakewell, of counsel for the appellee, and concluded by Mr. W. D. Baldwin, of counsel for the appellant.

335. Henry H. Hancock vs. The Louisville & Nashville R. R. Co. et al.

326. The Shelby Railroad Co. vs. The Louisville & Nashville R. R. Co. et al. Appellant.

The argument of these cases was commenced by Mr. B. D. Buckner, of counsel for the appellants.

Proclamation being made the Court is adjourned

Friday April 22d. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Charles S. Hoyt, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. J. May it is ordered that Fred. M. Dudley, Esquire, of St. Paul, State of Minn-

usetta, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Henderson it is ordered that Preston L. Lever, Esquire, of Stuart, State of Iowa be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Dillon it is ordered that William R. Kelly, Esquire of Omaha State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

W. W. Warner, Collector &c		On motion of Mr.
358	vs. Appellant	Solicitor General
Arthur W. Robson		Aldrich, of counsel
and		leave is hereby granted the Clerk to
Mistuimura Ekiu		
393	vs. Appellant.	issue the mandates
The United States et al.		in these cases.

Clyde Watton.
Hapo. vs. Pff in Error.
The United States.

On motion of Mr. Solicitor General Aldrich, It is ordered by the Court that leave be granted the plaintiff in error to prosecute the cause, in forma pauperis, that the transcript of the record be printed at public expense, & that the cause be re-assigned for argument on the 3d Monday of the next term after the cause heretofore assigned for that day.

Henry H. Hancock.
325 vs. Appellant.
The Louisville & Nashville R.R. Co. et al.
And
The Shelby Railroad Co.
326. vs. Appellant.
The Louisville & Nashville R.R. Co. et al.

The argument of these cases was continued by Mr. B. F. Buckner, of counsel for the appellants. Per Mr. J. C. Beckham, of counsel for the appellees, and concluded by Mr. B. F. Buckner of counsel for the appellants.

The Texas & Pacific Railway Co.
327. vs. Pff. in Error.
Ida May Cox.

This cause was argued by Mr. John F. Dillon.

of counsel for the plaintiff in error, and Mr. W. Hallett Phillips, of counsel for the defendant in error.

129. Court Joseph Pfeiffer. vs. Pfeiffer in Error. George W. Russ.

The argument of this cause was commenced by Mr. Robert G. Ingersoll, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday last at twelve o'clock.

Monday, April, 25th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. George F. Hoar it is ordered that George E. McQuilkan, Esquire, of Pearl and State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this day by Mr. George Parker it is ordered that James B. Perkins, Esquire, of Onondaga State of

New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Thomas B. Hardin, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Richter it is ordered that George C. Carey, Jr. Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John H. Sessions

362. vs Appellant

John M. Romadka, Charles P. Romadka & Anthony V. Romadka

And

Appeals from the Circuit Court of the United States for the East

John W. Kowalska, Charles P. Kowalska & Anthony V. Kowalska, } Appellants.
vs.
John H. Iverson. } Appellee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, on appeal and cross-appeal, & was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the defendants: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree upon the basis of the master's report.

per Mr. Justice Brown.

C. L. Underwood, Jesse W. Johnson, Administrator of D. H. Johnson, deceased and R. G. Crawford.		Appeal from the Circuit Court of the United States for the Western District of Missouri.
270	vs.	
The Metropolitan National Bank of the City of New York, Silas Wasten, Executrix of John J. Wasten, deceased et al.	Appellants.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The United States.		On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Massachusetts.
291	vs.	
George R. Eaton.	Plaintiff	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified must be answered in the negative.

Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Blatchford.

Artemus Roberts. In Error to the Circuit Court
385. vs. Pff. in Error. of the United States for the
Walter E. Lewis. District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration

tion whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings in accordance with the opinion of this Court

per Mr. Justice Gray.

Charles A Gregory et al.		Appeal from the Circuit
273.	vs	Appellants.	Court of the United States
The Boston Safe Deposit and			for the District of
Trust Company et al.			Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, so modified that the dismissal of the bill of complaint is without prejudice to any claim the plaintiffs or either of them may rightfully assert in a-

suit No. 2170, in the Court below, to the proceeds of the judgment against Lurp. The costs in this Court are adjudged to the appellee.

per Mr. Justice Harlan.

Conus Laura et al.		In Error to the Circuit
211.	vs.	Court of the United States
Abraham Barnhart and	Plffs. in Error.	for the Northern District
Josephus A. Gist.		of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Conus Laura et al.		In Error to the Circuit
212.	vs.	Court of the United States
Joseph Phillips and Lena	Plffs. in Error.	for the Northern District
Phillips.		of Illinois.

Monday, April 25th. 1892. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

Romeo Lewis, et al. vs. Pope in Error Andrew Johnson and Henry Crumb. In Error to the Circuit Court of the United States for the Northern District of Illinois.

513

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

Como Laws et al. vs. Plffs. in Error. Como Parks, and Charles Brier. In Error to the Circuit Court of the United States for the Northern District of Illinois.

1214

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Como Laws et al. vs. Plffs. in Error. Oliver W. Nye, and Willis Nye. In Error to the Circuit Court of the United States for the Northern District of Illinois.

1215

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed with costs

" per Mr. Justice Harlan.

Bowes Lewis et al. vs. Pepp. in Error. Celicia Bower and Charles Bower. } In Error to the Circuit Court of the United States for the Northern District of Illinois

20

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Bowes Lewis et al. vs. Pepp. in Error. Celicia Bower. } In Error to the Circuit Court of the United States for the Northern District of Illinois.

17

This cause came on to be heard on the tran-

copy of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

James M. Randall James F. Shackelford, Lual B. Dickinson et al. Plffs in Error to the Supreme Court of the State of Colorado.

294 vs.

The San Juan Silver Mining Company.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Leonard Wachall et al
vs. Appellants
Brooke Wachall Jr. et al.

On consideration of the motion to leave to file a writ of review in the cause in the Supreme Court of the District of Columbia. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Iron Silver Mining Co
vs. Pff. in Error.
The Mutual Iron Gold and Silver Mining Company.

It is ordered by the Court that the mandate in this cause be stayed: that notice be given to counsel for the defendant in error that an application for a rehearing has been made, and leave is hereby granted counsel on both sides to file printed briefs on or before the first day of the next Term of this Court upon the question whether a rehearing should be granted and the judgment be reversed and the cause remanded.

per Mr. Chief Justice Fuller.

Victor Meyer et al
173 vs Plff. in Error.
Walter E Richards.

On consideration of the petition for a rehearing in this cause. It is now here ordered by the Court that said petition be and the same is hereby granted and the judgment entered herein on January. 26th, 1892, be and the same is hereby vacated and annulled, and the cause restored to its place on the docket for oral argument before a full bench of nine justices.

per Mr. Chief Justice Fuller.

The Oregon Railway & Navigation Company.
350 vs Plff. in Error.
The Oregonian Railway Company, Limited.

In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is here-

by, reversed with costs: And that this cause be and the same is hereby, remanded to the said Circuit Court with a direction to overrule the demurrer and to take such further proceedings as shall be according to law, and not inconsistent with the opinion of this Court in the case of The Oregon Railway and Navigation Company vs. The Oregonian Railway Co. Limited, 130 U.S.)

per Mr. Chief Justice Fuller

228. The Mercantile Trust Co. & Pacific Railroad Company & Theodore Gilman & Charles H. Bull, Trustees. Appellants. vs. Solon Humphreys and Thomas B. Watts, Receivers of The Wabash, St. Louis & Pacific Railway Company.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the de-

cree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The St. Joseph & St. Louis Railroad Company. Appellant.
287 vs.
Solon Humphreys & Thomas E. Cutt. Receivers of The Wabash, St. Louis and Pacific Railway Company.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

William A. Cross. Pltf. in Error.
1525 vs.
The United States.

The motion to dismiss in this cause was submitted to the consideration

view of the Court on printed arguments by Mr. Solicitor General Aldrich in support of the same and Mr. B. Maurice Smith and Mr. Joseph Shillington in opposition thereto.

Amos Woodruff, Trustee, et al. vs. Plffs. in Error. The State of Mississippi et al.

986. Mr. Frank Johnston, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance the cause.

928. The United States Appellant, vs. W. S. Julian.
929. " " " " " "
930. " " " " " " " "

Mr. George A. King, of counsel for the appellee, submitted to the consideration of the Court a motion to reverse the judgments in these cases, as per stipulation of counsel.

A. P. Lloyd, Assignee etc. vs. Plff. in Error. Hattie A. Matthews et al.

914. The motions to dismiss or affirm in this cause were submitted to the

Monday, April 25th, 1892. Continued.

consideration of the Court on printed arguments by Mr. Charles H. Cook, in support of the same, and Mr H. P. Lloyd and Mr. B. L. Crowell Jr. in opposition thereto.

Count Joseph Pellenc.
142. vs. Pff in Error.
George W. Ruse.

The argument of this cause was continued by Mr. Robert G. Ingersoll, of counsel for the plaintiff in error and Mr. Jeff Chandler and Mr. John J. Ulrich, of counsel for the defendant in error and concluded by Mr. Robert G. Ingersoll, of counsel for the plaintiff in error.

Adolph Rossman.
332. vs. Pff. in Error.
C. L. Maddux, late Collector etc.

The cause was argued by Mr. Edward Hartley, of counsel for the plaintiff in error and Mr. Assistant Attorney General Parker of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 26th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford
David J. Brewer.
Henry B. Brown.
} Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court on the behalf by Mr. William G. Bibb it is ordered that Thomas Lynch, Esquire, of Antigo, John E. Fitz, Willis, Esquire, of Sutton and Ellis R. Bushnell, Esquire, of Madison, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court, and they were severally accordingly

Herman Sturm
257 vs. Appellant.
C. D. Baker et al. Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

Michael B. McDonald.
277 vs. Appellant.
George Belding &c. et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John McClure, of counsel for the appellant, and Mr. C. W. Case and Mr. C. G. Davis, of counsel for the appellee.

The City of Clay Center, Kansas.
337 vs. Appellant.
The Farmers Loan & Trust Co. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Johnson and Mr. John Marlin, of counsel for the appellant, and Mr. W. H. Rossington, Mr. Charles Wood Smith and Mr. Herbert B. Turner, of counsel for the appellee.

Elizabeth Barlow.
344 vs. Appellant.
Samuel S. Brown et al.

This cause was submitted to the consideration of the Court on the records and printed arguments by Mr. Richard De Gray, of counsel for the appellant, and Mr. Joseph P. Honor and Mr. Guy M. Honor, of counsel for the appellees.

Collis P. Huntington
334 vs. Plff. in Error.
Elizabeth C. Attrill.

The argument of this cause was commenced by Mr. Hugh L. Bond, of counsel for the plaintiff in error, continued by Mr. W. A. Gaston, of counsel for the defendant in error, and concluded by Mr. John K. Cowen, of counsel for the plaintiff in error.

William J. Hoyt, individually,
and as Administrator, etc.
336 vs. Appellant.
John A. Horne.

The argument of this cause was commenced by Mr. Philip Mauro, of counsel for the appellant.

Further consideration being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 27th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. Duane E. Ellis it is ordered that Mark Norris, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Montana Ward Mining Company. Plff in Error.
vs.
James Kelly.

In Error to the Supreme Court of the Territory of Arizona.

350

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

George L. Berry et al vs. Pltf. in Error. James Reilly. } In Error to the Supreme Court of the Territory of Arizona.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

Reuben Blackmore. Appeal from the Supreme Court of the Territory of Arizona.
352. vs. Appellants.
James Reilly.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John V. Woods. In Error to the Circuit Court
353. vs. Pff. in Error. of the United States for the
John Hann, Proctor &c. District of New Jersey.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same

is hereby, dismissed with costs
for the Said Circuit Court.

William A. Stout. individually
and as Administrator &c.
vs. Appellant.
John H. Howe.

The argument
of this cause was
continued by
Mr. Philip Howe,
& counsel for
the appellant, and Mr. Frederick C. Fisk, & coun
sel for the appellee, and concluded by Mr. Authony
Tolles, & counsel for the appellant.

The South Spring Hill Gold
Mining Company.
338. vs. Plff. in Error.
The Amador Medean Gold
Mining Company.

This cause was ar
gued by Mr. Steph.
J. Boutwell, & coun
sel for the plaintiff
in error. No coun
sel appeared for
the defendant in error.

Aquila H. Pickering.
345. vs. Plff. in Error.
John A. Lowar et al.

This cause was ar
gued by Mr. William
M. Evarts & counsel
for the plaintiff in
error, and submitted by Mr. Robert Hervey, &

Counsel for the defendants in error

Mary Bardon.
343. vs. Appellant.
The Northern Pacific Railroad Company

The argument of this cause was commenced by Mr. John B. Sanborn, of counsel for the appellant, and continued by Mr. James Mc. Manuett, of counsel for the appellee.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Thursday, April 26th 1849.

Court met & adjourned the Court over to be at the Capitol.

Present

The Honorable Elisha W. Leake, Chief Justice,

Aylett P. Nicholas

John M. Martin.

Peter Daniel. Associate

Samuel Blackford. Justices

Saml. J. Brown.

Henry St. George

John M. Wright, Esquire Marshal.

Saml. H. M. Henry, Clerk.

Proclamation being made the Court is opened.

The United States
vs. Appeal from
The Boston & Albany Rail Road Company.

On motion of the District Attorney of counsel for the plaintiff in Error leave is hereby granted the Clerk to issue the writ of Error in this cause.

Cisco Kepner, as Treasurer of Columbiana County, Ohio. vs. Nathaniel J. Dustin.

354. Appellant.

Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Theodore H. Kleinschmidt, Mayor etc., et al. vs. The City of Helena.

361. Appellants.

Appeal from the Supreme Court of the Territory of Montana.

William Rumsford, William G. Child et al.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print

the transcript of the record. It is therefore, in pursuance of the 35th rule of this Court, ordered, adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

And it is further ordered that the cause be and the same is hereby remanded to the Supreme Court of the State of Montana.

Per Mr. Chief Justice Fuller.

Mary Barclow.
vs. Appellant
The Northern Pacific Railroad Company.

The argument of this cause was continued by Mr. James McCourt, of counsel for the appellant, and concluded by Mr. William E. Miles of counsel for the appellant.

James E. Ryan et al.
vs. Appellants
Charles F. Ward et al.

This cause was argued by Mr. Nelson M. Thomas, of counsel for the appellants, and Mr. James B. Bashore of counsel for the appellees.

The Benson Mining and Smelting Company.

547 vs. Maitland

The Alta Mining & Smelting Company.

The cause was argued by Mr. G. W. Norwood, of counsel for the appellee, and submitted on a printed argument by Mr. Maitland Wilson, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, March 17th, 1851.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Michael H. Nelson, Presiding Judge

Henry D. Hubbard

John M. Harlan

Horace Gray.

Samuel Nelson. Associate Justices

Robert C. Grier.

John M. Wayne, Chief Justice

James M. Mc Kinley, Clerk

Proclamation being made the Court is adjourned.

Jacob Eichelberger et al. In Error to the Circuit Court
vs. Appellees in Error. of the United States for the
David L. Wallace et al. District of Kentucky.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same

is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John G. Schillinger et al. vs. The United States. Appellants. On motion of Mr. Solicitor General Aldrich, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

356

Lippman Kohn et al. vs. E. A. Merrill, late Collector etc. Plff in Error. In Error to the Circuit Court of the United States for the South ern District of New York.

363

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of the Court, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John Cameron
vs Appellant
The United States.

On motion of Mr. Key
for Mr. Swann Ordered
by the Court that this cause
be, and the same is hereby continued until
the next term.

Octavia L. Catesby et al.
vs
The United States Bank
use Company et al.

On motion of
Mr. F. S. Key
of counsel for the
appellees. It is
ordered by the
Court that this cause be, and the same is here-
by, continued until the next term.

Thos. Jones.
vs Pff. in Error
B. L. Seddon, late Collector &c.

On motion of Mr.
B. B. Smith of coun-
sel for the plain-
tiff in error. It is
ordered by the Court that this cause be, and the
same is hereby, continued until the next term.

John W. S. Earnshaw
vs
John Cadwalader, Collector &c.

Pff. in Error

This cause was
argued by Mr
W. S. Hall, of

counsel for the plaintiff in error, and Mr. Assistant Attorney General Parker, of counsel for the defendant in error.

George B. Dowling et al. vs. Pltfs. in Error. The National Exchange Bank of Boston. 349.

This cause was argued by Mr. Michael Brown of counsel for the plaintiffs in error, and Mr. Mark Norris, of counsel for the defendant in error.

William Ridgely, by his next friend. vs. Pet. in Error. Edson Humphreys et al, Receivers etc. 355.

This cause was submitted to the consideration of the Court on the record & a printed argument by Mr. J. B. Warner and Mr. L. C. Griffin, of counsel for the plaintiff in error, and on the record by Mr. W. H. Hodgett, of counsel for the defendants in error.

Friday, April 23d 1886 Continued

105	The City of Baltimore vs. Chas. M. Stirn The Baltimore & Ohio Railroad Company et al	Ordered by the Court that the cause be and the same is hereby continued until the next term for want of counsel.
106	Alexander Kerby et al vs. Abbetta Reed & Daniel L. Thompson et al.	Ordered by the Court that the cause be and the same is hereby continued until the next term.

Proclamation being made the Court adjourned until Monday next at twelve o'clock.

Monday. May. 2d. 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller. Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
John M. Wright. Esquire. Marshal.
James H. McKenney. Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this day by Mr. D. B. Brown it is ordered that Lewis M. Bradley, Esquire, of Mound City, State of Illinois, and Henry E. Asp. Esquire, of Guthrie Territory of Oklahoma, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Isaac W. Coffin

150 vs. Appellant. Appeals from the
John A. Coffin & George F. Ely. Circuit Court of
John A. Coffin & George F. Ely. the United States
177 vs. Appellants. for the Northern
Isaac W. Coffin. District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, costs in this Court to be paid by Isaac W. Coffin.

per Mr. Justice Brown.

The New England Mort- In Error to the Circuit
gage Security Company. Court of the United
231 vs. Pff. in Error. States for the Southern
Jacob W. Gay. District of Georgia.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Southern District of Georgia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Lamar
Mr. Justice Brewer.

W. H. Barnett. In Error to the Circuit Court
vs. of the United States for the
The City of Denison. Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dissenting: per Mr. Justice Brown

Joseph Turner as Administrator of the estate of William Turner

vs. Appellant

James M. Harris Receiver of the Toledo, Columbus & Southern Railway Company.

Appeal from the Circuit Court of the United States for the Northern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and judged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Brewer.

The People of the State of New York ex rel: The New York Electric Lines Company.

vs. Plff. in Error.

Hollis M. Squire as Commissioner of Public Works, in and for the City and County of New York.

In Error to the Court of Common Pleas of the City and County of New York.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas of the City and County of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Common Pleas in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Lamar.

Announced by Mr. Justice Blatchford.

Nellie B. Culver. ... In Error to the Cir-
228. vs. Pet. in Error. ... cuit Court of the
George Wilkinson, Receiver ... United States for the
of the American Trust Com- ... Southern District
pany of New Jersey. ... of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs,

and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Brewer

Joseph C. Willard. Appeal from the Supreme
vs. Appellant. Court of the District of
Henry K. Willard. Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Gray.

Mr. Justice Brewer was not present at the argument and took no part in the decision.

H. W. Washington, Administrator of Appeal from the District
Henry W. Bachman, deceased, &c. Court of the United
vs. Appellants States for the District
H. L. Opie. of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the bill.

per Mr. Justice Harlan.

The City of Brenham. }
vs. } Pet. in Error.
The German American Bank. }

It is ordered by the Court that leave be granted to file a petition for rehearing herein, which being considered,

It is ordered that the judgment entered in this Court on the 28th day of March, 1892, be, and the same is hereby, vacated and set aside and a judgment is now this day entered reversing the judgment of the Circuit Court of the United States for the Western District of Texas, and remanding said cause for further proceed-

ings not inconsistent with the opinion of this Court heretofore filed, and the petition for rehearing is denied.

per Mr. Chief Justice Fuller.

The City of Brenham. In Error to the Circuit Court
vs. of the United States for the
The German American Bank. Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings not inconsistent with the opinion of this Court heretofore filed

per Mr. Chief Justice Fuller.

Enos Woodruff, Trustee et al. vs. Appts. in Error. The State of Mississippi et al. 786.

Our consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, denied without prejudice to its renewal at the next term.

per Mr. Chief Justice Fuller.

The United States vs. Appellant. W. J. Sullivan. 1028.

Appeal from the District Court of the United States for the Middle District of Tennessee.

This cause having been called to the attention of the Court by Mr. George P. Kurz of counsel for the appellee, and a stipulation to reverse the judgment of the District Court herein having been filed. On consideration whereof, It is now here ordered and adjudged by the Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law.

per Mr. Chief Justice Fuller.

The United States
vs. Appellant
W. S. Julian.

Appeal from the District Court of the United States for the Middle District of Tennessee.

This cause having been called to the attention of the Court by Mr. George A. King of counsel for the appellee, and a stipulation to reverse the judgment of the District Court herein having been filed. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby reversed: and that this cause be, and the same is hereby remanded to the said District Court to be proceeded in accordingly to law.

Per Mr. Chief Justice Fuller.

The United States.
vs. Appellant
W. S. Julian.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause having been called to the attention of the Court by Mr. George A. King of counsel for the appellee, and a stipulation to reverse the judgment of the Circuit Court herein having

Now filed. On consideration whereof, It is ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

per Mr. Chief Justice Fuller.

339. The City of New Orleans vs. The Farmers Loan and Trust Company. Appellant. Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

Monday, May 2d, 1892. Continued

C. W. Goode	Appeal from the
vs. Appellant.	Circuit Court of the
William H. Gaines, Albert	United States for
P. Gaines, Executor of Maria	the Eastern District
Gaines, deceased et al	of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

George H. Smith.	Appeal from the Circuit
vs. Appellant.	Court of the United States
William H. Gaines, Albert P.	for the Eastern Dis
Gaines, Executor, etc, et al.	trict of Arkansas.

here filed. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

per Mr. Chief Justice Fuller.

339. The City of Kay Center, Kansas vs. The Farmers Loan and Trust Company. Appellant. Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, & was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

C. W. Goode.
157 vs. Appellant
William H. Gaines, Albert
R. Gaines, Executor of Mary
Gaines, deceased, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Fuller.

George H. Smith.
150 vs. Appellant.
William H. Gaines, Albert R.
Gaines, Executor, etc, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed, each party to pay one half of the costs in this Court; And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

Patrick Dunn,		Appeal from the Cir-
308.	vs. Appellant	cuit Court of the Un-
William K. Vaiue, Albert		ited States for the
A. Vaiue, Executors of Maria		Eastern District of
Vaiue, deceased, et al.		Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On con-

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed each party to pay one half of the costs in this Court: And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Curiam. Chief Justice Taney.

Charlotte Conn, v. William H. Gamo, Albert T. Gamo, Executor of Maria Gamo, deceased, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, rever

and such party to pay one-half of the costs in this Court: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

R. E. Allen ..... Appeal from the
305. vs. Appellant ..... Circuit Court of the
William H. Gaines, Albert ..... United States for
H. Gaines, Lucile G. Gaines ..... the Eastern Dis-
Gaines, deceased et al. ..... trict of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, and that the appellant pay one-half of the costs in this Court: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in con-

formity with the opinion of this Court
per Mr. Chief Justice Fuller

James Madison. Appeal from the
vs. Appellant. Circuit Court of the
William K. Sams, Albert United States for
M Sams, Executor of Maria the Eastern District
Sams, deceased, et al. of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, each party to pay one-half of the costs in this Court: and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Chief Justice Fuller.

	O. D. Ross.	Appeal from the Cir-
307	vs. Appellants	cuit Court of the
	William H. Gaines, Albert	United States for
	R. Gaines, Executor of Maria	the Eastern Dis-
	Gaines, deceased, et al.	trict of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court; and that the cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

	Algernon S. Garnett.	Appeal from the Cir-
308	vs. Appellant.	cuit Court of the
	William H. Gaines, Albert	United States for
	R. Gaines, Executor of Maria	the Eastern District
	Gaines, deceased, et al.	of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

Algernon S. Barnes, Appellant, vs. William H. Barnes, Albert B. Barnes, Executor of Maria Barnes, deceased, et al. Appellees. Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

309

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, each party to pay one half of the costs in this Court. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

D. B. Rugg ..... Appeal from the Cir-
310. vs ..... Appellant. ..... cuit Court of the
William K. Vaiue, Albert United States for
K. Vaiue, Executor of Maria the Eastern Dis-
Vaiue, deceased et al. trict of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed,

each party to pay one half of the costs in this Court: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Chief Justice Fuller

Nina Krauser
vs. Appellant.
William N. Grace, Albert P. Gaines, Executor of Maria Gaines, deceased, et al.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one half of the costs in this Court. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in

conformity with the opinion of this Court.
per Mr. Chief Justice Fuller.

Otto Heubert. ... Appeal from the Cir-
S.C. vs. Appellant. cuit Court of the
William N. Gaines, Alfred United States for
A. Gaines, Executor of Maria the Eastern District
Gaines, deceased, et al. ... of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.
per Mr. Chief Justice Fuller.

John J. Dunphy and George T. Sattar
vs. Appellants
William H. Gaines Albert R. Gaines, Executor of Maria Gaines, deceased et al

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Waite.

George G. Latta		Appeal from the Cir-
314 vs.	Appellant.	cuit Court of the
William H. Vance, Albert		United States for
J. Vance Executor of Maria		the Eastern District
Vance, deceased, et al.		of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court: And that this cause be and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

George G. Latta		Appeal from the Cir-
315 vs.	Appellant.	cuit Court of the
William H. Vance, Albert		United States for
J. Vance, Executor of Maria		the Eastern Dis-
Vance, deceased, et al.		trict of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, each party to pay one-half of the costs in this Court and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

The Lehigh Valley Railroad Company.
vs. Pet'n in Error.
The Commonwealth of Pennsylvania.

In Error to the Supreme Court of the State of Pennsylvania.

276

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration where-

of It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Lehigh Valley Railroad Company. vs. The Commonwealth of Pennsylvania

276. Pff. in Error.

In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

The Lehigh Valley Railroad Company. vs. The Commonwealth of Pennsylvania. } In Error to the Supreme Court of the State of Pennsylvania

No 48 Oct. Term 1875

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

The Lehigh Valley Railroad Company. vs. The Commonwealth of Pennsylvania. } In Error to the Supreme Court of the State of Pennsylvania.

No 49 Oct. Term 1875

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Ordered that all parts of Rule 67 of the Rules of Practice for the Courts of Equity of the United States as now existing, be, and the same are hereby, superseded, and the following Rule is promulgated as such Rule 67:

67.

After the cause is at issue, commissions to take testimony may be taken ex parte in vacation as well as in term, jointly by both parties, or severally by either party, upon interrogatories filed by the party taking out the same in the Clerk's office ten days notice thereof being given to the adverse party to file cross interrogatories before the issuing of the commission: and if no cross interrogatories are filed at the expiration of the time the commission may issue ex parte. In all cases the commissioner or commissioners may be named by the Court or

by a judge thereof: and the proceedings in the Court exercising jurisdiction may, either in term time or in vacation, rest in the Clerk of the Court general power to name commissioners to take testimony.

Either party may give notice to the other that he desires the evidence to be adduced in the cause to be taken orally, and thereupon all the witnesses to be examined shall be examined before one of the examiners of the Court, or before an examiner to be specially appointed by the Court. The examiner, if he so required, shall be furnished with a copy of the pleadings.

Such examination shall take place in the presence of the parties or their agents by their counsel or solicitors, and the witnesses shall be subject to cross-examination and re-examination, all of which shall be conducted as near as may be in the mode now used in common-law courts.

The depositions taken upon such examination shall be reduced to writing by the examiner, in the form of question and answer: provided, that, by consent of parties the examiner may take down the testimony

of any witness in the form of narrative.

If the request of either party, with reasonable notice, the deposition of any witness shall, under the direction of the examiner be taken down either by a skillful Stenographer or by a skillful type-writer, as the examiner may elect, and when taken Stenographically shall be put into type-writing, or other writing: provided, that such Stenographer or Typewriter has been appointed by the Court, or is approved by both parties.

The testimony of such witness, after such reduction to writing shall be read over to him and signed by him in the presence of the examiner and of such of the parties as may attend: provided, that if the witness shall refuse to sign the deposition so taken, then the examiner shall sign the same stating upon the record the reasons, if any, assigned by the witness for such refusal.

The examiner may, upon all examinations take any special matters to the Court as he shall think fit, and any question or questions which may be objected to shall be noted by the examiner upon the deposition, but he shall

not have power to decide on the competency materiality, or relevancy of the questions; and the court shall have power to deal with the costs of incompetent immaterial or irrelevant depositions, or parts of them, as may be just.

In case of refusal of witnesses to attend, to be sworn, or to answer any question put by the examiner, or by counsel or solicitors, the same practice shall be adopted as is now practiced with respect to witnesses to be produced on examination before an examiner of said court on written interrogatories.

Notice shall be given by the respective counsel or solicitors to the opposite counsel or solicitors, or parties, of the time and place of the examination for such reasonable time as the examiner may fix by order in each cause.

When the examination of witnesses before the examiner is concluded, the original depositions authenticated by the signature of the examiner, shall be transmitted by him to the clerk of the court, to be there filed of record, in the same mode as prescribed in section 865 of the Revised Statutes.

Testimony may be taken on commission in

the usual way by written interrogatories and cross interrogatories, on notice to the Court in term time, or to a judge in vacation, for special reasons, satisfactory to the court or judge.

Where the evidence to be adduced in a cause is to be taken orally, as before provided, the court may, on motion of either party, assign a time within which the complainant shall take his evidence in support of his bill, and a time thereafter within which the defendant shall take his evidence in defence, and a time thereafter within which the complainant shall take his evidence in reply: and no further evidence shall be taken in the cause, unless by agreement of the parties, or by leave of court first obtained, on motion, for cause shown.

The expense of the taking down of depositions by a stenographer and of putting them into type-writing or other writing shall be paid in the first instance by the party calling the witness, and shall be imposed by the court as part of the costs upon such party as the Court shall adjudge should ultimately bear them.

Per Mr. Chief Justice Fuller

The Chief Justice announced that the Court would adjourn for the term on Monday the 6th inst.

No 98. Horatio G. J. Wise Master etc. vs. Wyers Bennett et al. Appellants. The petition for a writ of error herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on a printed argument by Mr. James Thomson, in support of the same and leave was granted Mr. Robert T. Smith to file a printed brief in opposition thereto.

No 99. Mary E. Post, Administratrix etc vs. The County of Pulaski. Plff. in Error. The petition for a writ of error herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry Hubbard, and Mr. John G. Dillon in support of the same, and leave was granted Mr. Lewis W. Bradley to file a printed brief in opposition thereto.

Wallow de Baer
1171 vs. Pff. in Error.
Moran Brothers Company.

Mr. John H. Mitchell, of counsel for the Plaintiff in error, submitted to the consideration of the Court a motion to advance the cause.

Jacob B. Mann.
1012 vs. Appellant.
The Pocono Land Co.

Mr. D. H. M. McPherson, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Edward W. Hallinger.
1060 vs. Appellant.
Charles Birdsall, Sailor of Hunterdon County, New Jersey.

Mr. B. F. Winfield, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"United States District Court.
District of New Jersey.

I, Linsly Rowe, Clerk of the District Court of the United States for the District of New Jersey, do hereby certify:

1. That on the fifth day of February eighteen hundred and ninety-two Edward W Hallinger

filed in this Court through his attorney Charles G. Percival, a petition for a writ of habeas corpus.

2. That on said day, Judge Green United States District Judge for said District sitting in said District Court, considered said petition & refused a writ of habeas corpus.

3. That on the sixteenth day of February in the year one hundred and ninety-two, said Edward H. Hallinger then prayed an appeal from said decision to the Supreme Court of the United States.

4. That on said sixteenth day of February, eighteen hundred and ninety two said appeal was allowed, according to the Statute in such cases made and provided.

5. That on said sixteenth day of February eighteen-hundred and ninety-two said Judge issued a citation to Charles Birdsall, Jailor of Hudson County, New Jersey, admonishing him, the said Charles Birdsall to be and appear at a Supreme Court of the United States to be holden at Washington, D. C. on the eighth day of March 1892 to show cause, if any there be, why the judgment entered against the said applicant as in said appeal mentioned should

and be corrected. and why speedy justice should not be done to the parties in that behalf.

6. That on the said eighth day of March 1892, the said Judge by order under his hand adjourned the return day of said citation until the ninth day of March, 1892.

In testimony whereof, I hereunto subscribe my name and affix the seal of said District Court at Trenton, this twenty-sixth day of April, A.D. 1892.

Linsly Rowe, Clerk."

moved the Court to docket and dismiss the cause pursuant to the 7th rule: and it appearing to the Court that the appellant has failed to have the cause filed and docketed in conformity with the rules of this Court: It is now hereby ordered, adjudged and decreed by the Court that the appeal from the District Court of the United States for the District of New Jersey be, and the same is hereby, docketed and dismissed with costs: And that the cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller

Edward W. Hallinger.
560. vs. Appellant.
Charles Birdsall, Jailor etc.

It is ordered by the Court that the Clerk issue the mandate in this cause at once.

The Great Western Telegraph Company.
5740. vs. Pff. in Error.
Hiram Purdy.

On motion of Mr. C. H. Whitman, an attorney of counsel for the plaintiff in error, It is ordered by the Court that the writ of error herein be amended by making the same returnable thirty days from the date, and that a new citation herein issue returnable thirty days from date.

Albert H. Heaspell.
330. vs. Pff. in Error.
The Northern Pacific R.R. Co.

Mr. A. H. Garland, of counsel for the defendant in error, submitted to the consideration of the Court a motion to vacate and set aside the mandate in this cause, for leave to amend the transcript of the record, and for a re-hearing of the cause on such amended record.

1166 John A. Meaghan et al. vs. The Mumford Bleacher Manufacturing Company. In error. Motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. N. Davis and Mr. Frank W. Mc Clutchen, in support of the same, and Mr. Horace G. Stone, in opposition thereto.

1166 Edward Roby, Sheriff, in Error vs. Charles W. Colehour
1167 " " " " " Charles W. Colehour et al.
1168 " " " " " Charles W. Colehour.
1169 " " " " " Charles W. Colehour et al.

Motions to dismiss or affirm in these cases were submitted to the consideration of the Court on printed arguments by Mr. W. C. Goudy and Mr. N. S. Morrison, in support of the same, and Mr. John W. Palmer, in opposition thereto.

Proclamation being made, the Court is adjourned until Monday, the 16th inst. at, at twelve o'clock.

Monday, May, 2nd, 1870

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
Lucius L. C. Lamar
David J. Brewer.
Henry B. Brown.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in behalf by Mr. William G. Ware it is ordered that W. C. Williams, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. A. J. Hopkins it is ordered that

John N. Hoff Esquire of Port Huron, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. P. Wolverton it is ordered that Henry W. Harter, Esquire of Canton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Maury it is ordered that Jacob H. Lichter, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that William A. Reagan, Esquire, of Ardmore, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion leave was made to the Court in this behalf by Mr. O. M. Burrill it is ordered that Thomas K. Treudy, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Inter-State Commerce Commission,		Appeal from the Circuit Court of the United States for the Southern District of Ohio.
887.	v.	
The Baltimore & Ohio Railroad Company.	Appellant.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Aquila A. Pickering.		In Error to the Su-
342	vs.	Pff. in Error. preme Court of the
John A. Lowax & Wil-		State of Illinois.
liam Kolze.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Brown.

Pierre Felix, Elizabeth Felix,		
Louis Polmell, Harriet Polmell,		Appeal from
Dennis Felix & Margaret Felix.		the Circuit Court
30.	vs. Appellants	of the United States
Matthew G. Patrick, Mary Patrick,		for the District
R.W. Clayton, Harry B. Hufford, The		of Nebraska.
Omaha Horse Railway Co., et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Field

William J. Hoyt, individually and as Administrator of John Hoyt, deceased.

vs. Appellant.

John H. Howe.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

336

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this

cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to enter a decree for the plaintiff upon the first claim, and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

Elizabeth Barlow
304 v. Appellant.
Samuel L. Brown, and
Harry Brown, Claimants
of the Steam Tug "Corsair."

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Monday, May 16th, 1892 Continued.

The Peninsular Mining Company.

No. 240. vs. Appellant.

Thomas H. Mason, William Hart Smith and Sullivan Ballou. And Alfred A. Marcus. Appeals from the Circuit Court of the United States for the Western District of Michigan.

No. 1016 vs. Appellant.

Thomas H. Mason, William Hart Smith and Sullivan Ballou.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decrees of the said Circuit Court in this cause be, and the same are hereby, affirmed with costs.

per Mr. Justice Brewer.

(Mr. Justice Gray did not hear the argument, and took no part in the decision.)

	Ant Miller	In Error to the Circuit Court
293	vs. Pff. in Error	of the United States for the
	Ernst Timmow	Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to overrule the demurrer to the answer.

per Mr. Justice Brewer.

	William Aerkfitz, by Fred-	In Error to the Cir-
	erick Aerkfitz, his next friend.	cuit Court of the
335	vs. Pff. in Error.	United States for the
	Solon Humphreys and Thomas	Eastern District
	B. Watts Receivers.	of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer

The Bunton Mining and Smelting Company.
vs. Appellants.
The Alta Mining & Smelting Co.

347

Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Maria J. Matthews.
vs. Appellants.
H. P. Caldwell.

145

Appeal from the Supreme Court of the Territory of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Washington.

per Mr. Justice Brewer.

Henry H. Hancock. Appeal from the
326 vs. Appellant. Circuit Court of
The Louisville & Nashville Railroad, the United States
Company and The Shelby Railroad for the District
District of Shelby County. of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

be, and the same is hereby affirmed with costs.

per Mr. Justice Brewer.

The Shelby Railroad Company. Appeal from the
326. vs. Appellant. Circuit Court of
The Louisville & Nashville Rail- the United States
road Company & The Louisville, for the District
Cincinnati & Lexington Rail- of Kentucky.
way Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Samuel H. Kissam, Henry In Error to the Cir-
H. Whitney & Eugene R. Worthington, cuit Court of the
202. vs. Appellees in Error. United States for the
Henry J. Anderson, Receiver of the Southern District
First National Bank of Albion. of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

Margaret A. Brennan. Appeal from the Circuit Court
623 vs of the United States for the East-
George Dawes. ern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs;

And that the cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill. with costs.

per Mr. Justice Blatchford.

James B. Ryan, Francis A. Hall, William R. Coupe and Richard W. Ellsworth. vs. Charles H. Ward, John A. Dix and Henry H. Ward.

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court. that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

348. John M. L. Barnshaw. vs. John Cadwalader, Collector of Customs for the District of Philadelphia. — Pff. in Error. — In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

12. Thomas C. Welhau. vs. John K. Valentine Executor of William G. Berry deceased. — Pff. in Error. — In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

The St. Louis, Vandalia & Terre Haute Railroad Company, Appellant, vs. The Terre Haute & Indianapolis Railroad Company. Appeal from the Circuit Court of the United States for the Southern District of Illinois.

42.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Eva Brown, Executrix of
Solomon Brown, deceased,

169. v. Pff. in Error. In Error to the Court of Appeals of the State of Maryland.

Theodore B. Lamar, Joseph N. Patterson & Willard L. Rice, co-partners, trading as Lamar, Patterson and Rice.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The Mutual Life Insurance Company of New York, The New York Life Insurance Company & The Connecticut Mutual Life Insurance Company of Hartford, Connecticut (consolidated).

181. v. Pffs. in Error. In Error to the Circuit Court of the United States for the District of Kansas.

Sallie E. Hillmon.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed without costs.

per Mr. Justice Gray.

The Mutual Life Insurance Company of New York. vs. Sallie E. Killmon. — In Error to the Circuit Court of the United States for the District of Kansas.

153. Def. in Error.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

The New York Life Insurance Company.		In Error to the Circuit Court of the United States for the District of Kansas.
183	vs. Eff. in Error	
Sallie B. Hillmon.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

Per Mr. Justice Gray.

The Connecticut Mutual Life Insurance Company, of Hartford, Connecticut.		In Error to the Circuit Court of the United States for the District of Kansas.
184	vs. Eff. in Error.	
Sallie B. Hillmon.		

This cause came on to be heard on the tran-

copy of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court with direction to set aside the verdict & to order a new trial.

per Mr. Justice Gray.

Ex parte: In the matter of John C. Shaw, Jr., Trustee. } On a petition for
3. Original. — Petitioner } a writ of man
damus.

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, & the same is hereby denied.

per Mr. Justice Gray.

Dissenting.

Mr. Justice Harlan

U.S. Cer. & Thomas Crusby.		In Error to the Circuit Court
248	vs.	of the United States for the
E. J. Hart.	Dft. in Error.	Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

John Henry Crusler.		In Error to the Su-
251	vs.	preme Court of the
J. Carter Warbury.	Dft. in Error.	District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, af-

Dismissed with costs.

per Mr. Justice Harlan.

James L. Hudson and Lammi Hudson, Executors of Allen Baker deceased.

vs.

Thomas Kilgore, next friend of Elijah J. Scruggs & Ann Eustace Buck Scruggs.

In Error to the Supreme Court of the State of Tennessee.

122. Plffs. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be & the same is hereby affirmed with costs.

per Mr. Justice Harlan.

George E. Dowling.

vs.

The National Exchange Bank of Boston.

In Error to the Circuit Court of the United States for the Western District of Mich

10 am

Plff. in Error.

347.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, as to the defendant Dowling; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant him a new trial.

per Mr. Justice Harlan.

Michael McDonald. Appeal from the Circuit
579 vs. Appellant. Court of the United States
George Belding & Amanda for the Eastern District
Belding, his wife. of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that

the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Harlan.

J. Bernard Walthaus, & Others
O. Barlow, Executors of Edward Walthaus, deceased.

vs.

Caleb K. Warner, Charles C. Smith, & The New England Trust Company.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

Mr. Justice Gray did not hear the argument and took no part in the decision of this case.

	The Franklin Telegraph Company The Atlantic & Pacific Telegraph Company and The Western Union Telegraph Company.		Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.
317		vs. Appellants.	
	John Harrison George L. Harrison and Thomas L. Harrison		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Dissenting:

Mr. Chief Justice Fuller.

and Mr. Justice Brewer.

	David Joseph Deffenbaugh.		In Error to the Circuit Court of the United States for the Western District of Texas.
329		vs. Def. in Error.	
	George W. Rives.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial and to take further proceedings in accordance with the opinion of this Court.

per Mr. Justice Gray

Julia H. Jenkins et al. In Error to the Circuit Court
316. vs. Pope in Error. of the United States for the
William A. Pollard. Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Mary Bardon
(348) vs. Appellant.
The Northern Pacific Railroad Company.

Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill.

per Mr. Justice Field.

Jacob B. Mann.
(312) vs. Appellant.
The Tacoma Land Company.

On consideration of the motions to advance this cause. It

Willow L. Baer
v. Plff in Error
Moran Brothers Company.

It is now here ordered by the Court that said motion be, and the same is hereby denied, but leave is granted to counsel in these cases to file printed briefs in the case of Henry L. Yesler vs. The Board of Harbor Line Commissioners et al. No 1364 on the docket for the present term.

per Mr. Chief Justice Fuller.

H. P. Lloyd, Assignee, etc.
v. Plff in Error.
Nellie A. Matthews et al.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Albert H. Haskell.
v. Plff in Error.
The Northern Pacific Railroad Company.

On consideration of the motion to withdraw the mandate in this cause, for leave to amend the transcript

of the record and for a rehearing of the case on such amended record. It is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Fuller.

Horatio G. G. Wise, Master etc. vs. Appellants
1565 Myers Bennett and William J. Anderson, Claimants etc.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby denied with costs.

per Mr. Chief Justice Fuller.

Mary B. Post, Administratrix etc. vs. Pltff. in Error.
1559 The County of Pulaski.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well

in support of as against the same; It is now
here ordered by the Court that said petition
be, and the same is hereby, denied, with costs.

per Mr. Chief Justice Fuller.

262 John A. Sessions
vs.
Appellant.
John W. Rowadka et al.

and

263 John W. Rowadka et al.
vs.
Appellants.
John A. Sessions.

It is ordered by the Court that the decree herein entered April, 25th, 1892, be vacated and a decree on this day entered, reversing the decree of the Circuit Court and remanding the cause with directions for further proceedings in conformity with the opinion of this Court with authority however to the Circuit Court if in its opinion law and justice shall so require to modify the total amount of damages as found by the master.

per Mr. Chief Justice Fuller.

John H. Sessions.

268 vs. Appellants.

John W. Bowadka, Charles P. Bowadka & Anthony W. Bowadka. Appeals from the Circuit Court of the United States for the Eastern District of Wisconsin.

John W. Bowadka, Charles P. Bowadka & Anthony W. Bowadka.

268 vs. Appellants.

John H. Sessions

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the defendants; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings in conformity with the opinion of this Court, with authority however to the Circuit Court, if in its opinion law and justice shall

so require to modify the total amount of dam ages as found by the master.

per Mr. Chief Justice Waite

Joseph Otero. vs. Sarah Scalzo, & Sylvester Rocco Girita, Executors of Vincenzo Scalzo, deceased. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Chief Justice Waite

The Texas & Pacific Railway Company. vs. City of Texas. Ida May Cox.

347 In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Chief Justice Fuller.

Adolph Boreman. vs. Ptf. in Error. Edward L. Holden, late Collector of the Port of New York.

352 In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Southern District of New York, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

The South Spring Gold Mining Company. vs. Amador Medean Gold Mining Company

In Error to the Circuit Court of the United States for the Northern District of California.

338.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court

for further proceedings in conformity to law.

per Mr. Chief Justice Fuller.

John G. Meagher et al. ... In Error to the
1545. vs. ... Supreme Court
The Illinois Northern Illinois ... of the State of
facturing Company. ... Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel, on a motion to dismiss. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

William H. Crove. ... In Error to the Supreme
1525. vs. ... Court of the District of
The United States ... Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on a motion to

dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The United States. — On motion of Mr.
O. Original — vs. — Complainant. Attorney General
The State of Texas. leave of counsel
for the complainant
and leave is hereby granted the Clerk to send
the original depositions for the complainant
to the printer.

The Spalding Lumber Company. — In Error to the Circuit
Court of the United States
193. vs. Pff. in Error. for the Western District
The United States. of Michigan.

This cause having been called to the attention of the Court by Mr. Attorney General Miller, of counsel for the defendant in error, and he having filed the authority of counsel for the plaintiff in error to dismiss the cause

for further proceedings in conformity to law.

per Mr. Chief Justice Fuller.

1545. John F. Meagher et al. vs. Plffs in Error. The Minnesota Barb Wire Manufacturing Company. In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and now argued by counsel, on a motion to dismiss. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1525. William M. Croce. vs. Plff in Error. The United States. In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on a motion to

dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

The United States, Complainant. vs. The State of Texas. Original

On motion of Mr. Attorney General Fuller, of counsel for the complainant, leave is hereby granted the Clerk to send the original depositions for the complainant to the printer.

The Spalding Lumber Company. vs. The United States. Jeff. in Error.

195

In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause having been called to the attention of the Court by Mr. Attorney General Fuller, of counsel for the defendant in error, and no one having filed the authority of counsel for the plaintiff in error to docket this cause,

It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Alexander Lewis. ... On motion of Mr. Attor-
1066. ... vs. ... Writ of Error ... ney General Miller, It
The United States. ... is ordered by the Court
that leave be, and the
same is hereby, granted the plaintiff in error to
prosecute this cause in forma pauperis & that
the transcript of the record be furnished at the
public expense.

The United States. ... Appeal from the District Court
1077. ... vs. ... Appellant ... of the United States for the
D. H. Faulkner. ... Middle District of Tennessee.

This cause having been called to the attention
of the Court by Mr. Attorney General Miller, of
counsel for the appellant, and a Motion to
reverse the judgment of the District Court here-
in having been filed: On consideration where-
of, It is now here ordered and adjudged by this
Court that the judgment of the said District

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Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law.

per Mr. Chief Justice White.

The State of New Jersey. Complainant.
1. Original. —vs.— On motion of Mr.
The State of Delaware. O. A. Garland in behalf of counsel leave is hereby

granted to file a stipulation of counsel in regard to the time to plead, answer or demur in this cause.

The State of Nebraska. Complainant
4. Original. —vs.— On motion of Mr.
The State of Iowa. C. S. Greene of counsel for the complainant leave is hereby

granted to file stipulations as to the taxation of costs and surveyors fees in this cause.

The State of Nebraska. Complainant.
4. Original. —vs.— } Bill in Equity
The State of Iowa.

This cause came on to be heard upon the

pleadings and proofs, and was argued by counsel, and thereupon, the parties having agreed upon a designation of the boundary in accordance with the principles set forth in the opinion of the Court, filed on February 29, 1892, it is ordered, adjudged and decreed as follows:

That the boundary between the State of Nebraska and the State of Iowa, between the north line of section twenty-two (22) and twenty three (23), in township seventy-five (75) north of range forty-four (44) west of the fifth principal meridian, according to the surveys of the public lands in the State of Iowa, and the middle, east and west lines of section twenty-eight (28) in said township and range is, and is hereby, established in the middle of the main channel of the Missouri River save and excepting the part of the said boundary described as follows:

Commencing at a point on the south line of section twenty (20), in township seventy five (75) north, range forty-four (44) west of the fifth principal meridian, produced eight hundred and sixty-one and one half (861½) feet west of the southeast corner of said section, and run-

way thence north-westerly to a point on the south line of lot four (4) of section ten (10) in township fifteen (15) north of range thirteen (13) east of the sixth principal meridian, twenty-two hundred and seventy-five (2275) feet east of the southwest corner of the northwest quarter of the south-east quarter of said section ten (10). Thence westerly to a point on the north line of lot four (4) aforesaid, two thousand and sixty-eight (2068) feet east of the centre line of said section ten (10); thence north to a point on the north line of section ten (10) two thousand and sixty-eight (2068) feet east of the quarter section corner on the north line of said section; thence northerly to a point three hundred and twelve (312) feet west of the south-east corner of lot one (1), in section three (3), township fifteen (15) north, range thirteen (13) east aforesaid; thence northerly to a point on the section line between sections two (2) and three (3), three hundred and fifty-eight (358) feet south of the quarter section corner on said line; thence northeasterly to the centre of the southeast quarter of the northwest quarter of section two (2) aforesaid; thence east to the centre of the west half of lot four (4), thence

described as the southwest quarter of the northwest quarter of section one (1), in township fifteen (15), range thirteen (13), aforesaid: thence southeasterly to a point on the north line of lot five (5) aforesaid, fifteen hundred and forty (1540) feet west of the centre of section one (1), said aforesaid: thence south two thousand and fifty (2050) feet to a point fifteen hundred and forty (1540) feet west of the north and south line through said section one (1): thence southwesterly to the southwest corner of the northeast quarter of the southwest quarter of section twenty six (26), in township seventy-four (74) north, range forty four (44) west of the fifth principal meridian: thence southeasterly to a point six hundred and sixty (660) feet south of the northeast corner of the northwest quarter of the northeast quarter of section twenty-eight (28), in township seventy-four (74) north, range forty four (44) west, aforesaid: and said line produced to the centre of the channel of the Missouri River

Commencing again at the point of beginning first named, namely a point on the south line of section twenty (20) in township seventy-

five (75) north, range forty-four (44) west of the principal meridian, produced eight hundred and sixty-one and one-half (861½) feet west of the southeast corner of said section, and running thence southwesterly to a point six hundred and sixty (660) feet east of the southwest corner of the north west quarter of section twenty eight (28) in township seventy five (75) north, range forty four (44) west of the fifth principal meridian, and said line produced to the centre of the channel of the Missouri River.

The territory lying on the west of said line from the point last aforesaid to the section line between sections two (2) and three (3) in township fifteen (15) north, range thirteen (13) east of the sixth principal meridian, according to the government surveys in Nebraska, and also the territory lying north of the above described line to extend it intersect the north and east and west line of section one (1), in said township and range. And the territory lying east of the above described line from the point last aforesaid to the Missouri, are in the State of Nebraska, and the lands included between and within the above described line are in

the State of Iowa.

It is further ordered that the costs of this suit be paid by the parties equally.

per Mr. Chief Justice Fuller.

Richard P. Bardon et al. vs. The Northern Pacific Railroad Co. — In Error. — On motion of Mr. W. G. Thomas, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the second Monday of December next at the foot of the calls.

360.

Sarah F. Warfield et al. vs. Woodbury Wheeler et al — Appellants. — Mr. William D. Kenney, of counsel for the appellees, presented a certificate of the Clerk of the Supreme Court of the District of Columbia and moved the Court to docket and dismiss this cause pursuant to the 7th rule, which was opposed by Mr. Calderon Carlisle. Whereupon, It is ordered by the Court that the cause be docketed and the motion to dismiss continued until the next term.

1508.

Charles E. Cook.
365 vs. Appellants.
B. D. Snell, Sheriff &c.

On motion of Mr. H. C. Williams, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, dismissed and assigned for argument on the third Monday of the next Term after the cases heretofore assigned for that day.

John Mc. Coskey.
1299 vs. Pff. in Error.
Frank Hurst.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and argument by Mr. J. M. Rouse and Mr. William Grant, in support of the same

Jacob Darst.
457 vs. Pff. in Error.
Morgan H. Boggs et al.

In Error to the Circuit Court of the United States for the District of Wisconsin.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore in pursuance of said stipulation, It is ord

here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Central Trust Company of New York. Appellant. vs. W. H. G. Bacon, trustee etc. Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

707

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by the Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John J. Main, Executor etc. Appellant. vs. Hunick and Co., et al. Appeal from the Circuit Court of the United States for the District of West Virginia.

861

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause

has been filed, Therefore, in pursuance of said motion It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs

for the Chief Justice Taney.

John Mc. Cooley. In Error to the Circuit Court
299. vs. Defs. in Error. of the United States for the
Grant Hurst. Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

for Mr. Chief Justice Taney.

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not dis-

power of by the Court be, and the same are hereby, continued until the next Term of the Court.

per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States
October Term.
1876

Monday, October, 10th, 1892.

At the Capitol of the United States in the City of Washington, and District of Columbia, being the present seat of the National Government of the United, on the second Monday of October, (being the tenth day of the same month) in the year of our Lord one thousand eight hundred and ninety-two, and of the Independence of the United States the one hundred and seventeenth, the Supreme Court of the United States met agreeably to law.

Present

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field

John M. Harlan.

Horace Gray.

Samuel Blatchford. Associate

Lucius Q. C. Lamar... Justices

David J. Brewer.

Henry B. Brown.

George Shiras Jr.

John M. Wright, Esquire Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable George Shiras, Junr. appeared and produced the following Letters Patent and oath of Office, which were read in open Court, and ordered to be recorded upon the minutes, in the following words, viz:

Benjamin Harrison.
President of the United States of America.

To all who shall see these Present: Greeting:
Know ye: That reposing special trust and confidence in the Wisdom, Uprightness and Learning of George Shiras jr., of Pennsylvania, I have nominated and by, and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining, unto him, the said George Shiras, jr., during his good behavior.

In Testimony whereof, I have caused these Letters to be made

patent, and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the City of Washington the 26th day of July in the year of our Lord One thousand, eight hundred and ninety-two, and of the Independence of the United States of America the one hundred and seventeenth.

(Seal.)

Benj. Harrison.

By the President:

W.H.H. Miller, Attorney General.

I, George Shiras, Junior, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic: that I will bear true faith and allegiance to the same: that I take this obligation freely, without any mental reservation, or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help

me God.

George Shiras. Jr

Subscribed and sworn to
before me this 10th day of
October. A. D. 1892.

Melville W. Fuller.
Chief Justice of the United States

I. George Shiras, Junior, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States: So help me God.

George Shiras, Jr.

Subscribed and sworn to
before me this 10th day of
October A. D. 1892.

James H. Mc. Kenney.
Clerk of the Supreme Court
of the United States.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that John Mc. Keare and Thomas Patterson, Esquires, of Pittsburgh, State of Pennsylvania, C. J. Lisle, Esquire, of Lebanon, State of Kentucky, and Walter Dare, Esquire, of El Paso, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that G. G. Van Vleck, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Mc. Kenny it is ordered that Fisher A. Baker, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mc. Vaean it is ordered that

C. Brownell, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Thomas R. Shepard, Esquire of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would commence the call of the docket to-morrow, pursuant to the 26th rule.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, October 11th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
} Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. M. P. Morris it is ordered that Herbert Knight, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Tuesday. October 17th. 1899. Continued.

31. John Cadwalader, Collector &c. vs. John Wanamaker et al. Pff. in Error. And William H. Hagedow. vs. J. C. Seeberger, Collector &c. Pff. in Error. On motion of Mr. Solicitor General Aldrich It is ordered by the Court that these cases be heard with case No. 151, when that case is reached in the regular call of the docket

37. The Eureka & Palisade Railroad Company. vs. The United States. In Error to the Circuit Court of the United States for the District of Nevada.

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the defendant in error, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The De La Vergne Refrigerating Machine Company.
1099. vs. Appellant.
John Featherstone et al.

Mr. Solicitor General Aldrich, submitted to the consideration of the Court a motion to advance this cause.

William Mc. Pherson Jr. et al
No. vs. Plff. in Error.
Robert S. Blacker Secretary of State of the State of Michigan.

On motion of Mr. H. M. Duffield, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument at the head of the call for this day, and three counsel be allowed to argue the cause on behalf of the plaintiffs in error.

The Swan Land & Cattle Company. Limited.
187 vs. Appellant.
Joseph Frank et al.

Mr. S. M. Woolworth, of counsel for the appellee, suggested the death of Joseph Frank and Godfrey Engelbacher, two of the appellees herein, and moved the Court to make Hannah Frank, Administra-

trator of Joseph Grauk, deceased, and Hannah G. Snydacker, Joseph G Snydacker and Henry L. Grauk, Executors of Godfrey Snydacker, deceased, parties appellees. Whereupon, It is now here ordered by the Court that the said Hannah Grauk, Administratrix of Joseph Grauk, deceased, and Hannah G. Snydacker, Joseph G. Snydacker and Henry L. Grauk, Executors of Godfrey Snydracker, deceased, be, and they are hereby, made parties appellees in this cause.

18. Elijah W. Weddaugh et al. to Nathaniel Wilson. Appellants. On motion of Mr. Titus Kirchner of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of the 26th rule.

1. Benjamin Barker, Jr. Assignee of John S. Brouty. to The Lake Shore & Michigan Southern Railway Co. Pff. in Error. Mr. Wm. Ford Upson, of counsel submitted the discharge of Benjamin Barker Jr. as Assignee of John S. Brouty and

moved the Court to make John A Wesley Trustee of the Estate of John L Grady the party plaintiff in error herein. Whereupon it is now here ordered by the Court that the said John A. Wesley, Trustee of the Estate of John L Grady be and he is hereby made the party plaintiff in error in this cause.

Charles Wilkins et al. vs. Pipps in Error. George W. Courtelou et al. The motion to omit certain parts of the transcript of the record herein in printing the same was submitted to the consideration of the Court on printed arguments by Mr. James M. Mason in support of the same, and Mr. Jefferson Brumback and Mr Walter Scott, in opposition thereto.

Ex parte: In the matter of The Commonwealth of Virginia. Petitioner. Mr. R. Taylor Scott, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein, and leave was granted to the Attorney General of the United States to file a

brief in opposition thereto on or before Saturday next.

The Consolidated Bunging Apparatus Company.
32. vs. Appellant.
The Peter Schoenhofen Brewing Co.

and

The Consolidated Bunging Apparatus Company et al.
60. vs. Appellants.
The H. Clausen & Son Brewing Company.

On motion of Mr Ephraim Banning, of counsel for the appellants. It is ordered by the Court that these cases be, and the same are hereby continued under the next term.

The De La Vergne Refrigerating Machine Company.
099 vs. Appellant.
John Featherstone et al.

Mr. Ephraim Banning, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause, and also a petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit.

Herman Sturm ..... On motion of Mr. W. O. ...
93 vs Appellant Guthrie of counsel for
E. A. Baker et al the appellee, It is or-
dered by the Court that
this cause be, and the same is hereby, passed,
subject to the provisions of section 7 of the 30th rule.

Edward W. Stallinger On motion of Mr. B. H.
100 vs. Appellant. Wright of counsel
Robert Davis, Jailer etc. for the appellee, It is
ordered by the Court
that this cause be, and the same is hereby, ad-
vanced and assigned for argument on the first
Monday of November next.

Ramon Paw-to-pee et al. Mr. S. H. Mc Crum,
1126 vs. Appellants in behalf of coun-
The United States sel for the ap-
And pellants in No.
The Pottawatomie Indians 1126 submitted
of Michigan and Indiana. to the consid-
1155 vs Appellants. eration of the
The United States. Court a motion
to advance these
cases.

410. The Illinois Central R.R. Co. Appt. vs. The People of the State of Illinois et al.
408. The City of Chicago, Appt. vs. The Illinois Central R.R. Co. et al.
409. The People of the State of Illinois, Appts. vs. The Illinois Central R.R. Co. et al.
411. The United States, Appt. vs. The People of the State of Illinois et al.

On motion of Mr. John S. Miller, of counsel for the City of Chicago, It is ordered by the Court that these cases be assigned for argument immediately after No. 1179, and on motion of Mr. J. M. Lowell, of counsel for the Illinois Central Railroad Co., It is ordered by the Court that on the argument of these cases counsel for the Railroad Company be allowed four hours and counsel for the City of Chicago and State of Illinois, four hours, and such additional time as may be deemed necessary by the Court.

43. Henry Huber & James B. Boyle vs. The M. O. Nelson Manufacturing Company. Appellants.

Mr. A. B. Browne, of counsel for the appellants, suggested the death of James B. Boyle, one of the appellants, and moved the Court to make James E. Boyle, Jr. Administrator of the said James B. Boyle, deceased, one of

the appellants herein. Whereupon, it is now here ordered by the Court that the said James B. Boyle Jr. Administrator of James B. Boyle, deceased, be, and he is hereby, made a party appellant in this cause.

Charles W. Hurely. Mr. A. H. Garland, of
1132. vs Pff. in Error. counsel for the plain-
John B. A. Bowlby et al. tiff in error, submitted
to the consideration of

the Court a motion to advance this cause and assign the same for argument next after case No. 913, or with that case.

The Wilmington & Weldon Mr. G. D. McKenney,
Railroad Co. in behalf of counsel
1074 vs Pff. in Error al for the defendant
H. S. Alsbrook, Sheriff etc. in error, submitted
to the consideration

of the Court a motion to advance this cause.

The New York and Texas Mr. O. B. Brouse, in
Land Co. (Limited) behalf of counsel sup-
13. vs Pff. in Error ported the motion of
William Votaw. William Votaw, the de-

fendant in error thereto, and moved the Court to make Mary Jane Volaw and William J. Slaughter, Executors, and Mary Jane Volaw, as sole devisee and legatee of the said William Volaw, deceased, the parties defendants in error thereto. Whereupon, It is now here ordered by the Court that the said Mary Jane Volaw and William J. Slaughter, Executors, and Mary Jane Volaw as sole devisee and legatee of William Volaw deceased, be, and they are hereby, made the parties defendants in error in this cause.

The New York & Texas Land Co. (Limited).
13. vs. Def. in Error.
Mary Jane Volaw & Wm. J. Slaughter, Executors, &c.

On motion of Mr. A. B. Browne, in behalf of counsel. It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

John J. Berrett et al.
201. vs. Appellants.
Daniel W. Middleton et al

Mr. John Rideout, of counsel for the appellees, having filed in open Court the following certificate, to wit.

Supreme Court of the District of Columbia.

I, John R. Young, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in a certain cause pending in said Court wherein John J. Darrell and Theodore A. Woody were complainants, and Daniel W. Middleton, Samuel B. Middleton, Julia Middleton, Bird A. Shelman and Alice Shelman his wife, Ann Van Ryder et James H. Kenny were defendants No. 3056, Equity, a final decree was rendered by said Supreme Court on the 5th day of May A.D. 1892, in favor of said defendants and against said complainants and that on the same day, in open Court, the said complainants prayed and were allowed an appeal to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at the City of Washington, this 11th day of October A.D. 1892.

(Seal.)

John R. Young.
Clerk Supreme Court of the District of Columbia.

Moved the Court to docket and dismiss the cause

pursuant to the 9th rule, and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that the appeal from the Supreme Court of the District of Columbia, be, and the same is hereby, dismissed and dismissed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice,

per Mr. Chief Justice Fuller.

John J. Berrett et al.
vs. Appellants.
Daniel W. Middleton et al.

On motion of Mr. John Ridout, of counsel for the appellees, leave is hereby granted the Clerk to docket the case on the

The United States
8. vs. Pff. in Error.
The Denver & Rio Grande Railway Co.

On motion of Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error it

The United States.
9 vs. Pff. in Error.
The Denver & Rio Grande Railway Co. et al

is ordered by the Court that this cause be and the same are hereby passed subject to the provisions of section 9 of the 26th rule.

10. William Wright, Appl. vs David E. Trumpling &c.
11 William Wright, Appl. vs Solmeda Bogue.

Ordered by the Court that this cause be, and the same are hereby passed subject to the provisions of section 9 of the 26th rule.

William McPherson &c. et al. Pffs. in Error.
1170. vs.
Robert J. Blacker, Secretary of State of the State of Michigan.

The argument of this cause was commenced by Mr. Henry M. Duffield, of counsel for the plaintiffs in error, continued by Mr. Otto Kirchner, of counsel for the defendant in error, Mr. W. N. H. Miller of counsel for the plaintiffs in error, and Mr A. A. Ellis of counsel for the defendants in error, and concluded by Mr. Fred A. Baker of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October 5th, 1842.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Stephen J. Field
John M. Kinzie
Horace Gray
Samuel Whitlyford. Associate
Lucius H. Bellamy Justices.
Nevel J. Brewer
Henry B. Brown.
George Shiras Jr.

John W. Wright, Esquire, Marshal
James H. Mc Kenney Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. William A. Maury it is ordered that E. A. O'Sullivan, Esquire of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Charles Wrenn Trustee, Cu motion of Mr.
6. vs. Appellant. George Hoadly, of
The Pittsburgh Cincinnati counsel for the ap-
& St. Louis Railway Co et al pellant, It is ordered by the Court

that this cause be, and the same is hereby, passed subject to the provisions of section 9 of the 26th rule.

Benjamin F. Butler, On motion of Mr.
20. vs. Pff. in Error. O. D. Barrett, It is
Charles P. Dorsey, Receiver &c. ordered by the Court

that this cause be, and the same is hereby, passed subject to the provisions of section 9 of the 26th rule.

The Lehigh Zinc & Iron Co. (Limited) On motion of Mr.
11. vs. Pff in Error. William A. Mc. Kenney, in behalf of
Charles Bamford et al. counsel It is ordered by the Court

that this cause be, and the same is hereby, passed subject to the provisions of section 9 of the 26th rule.

The Illinois Central Railroad Co.
419. vs. Appellant.
The People of the State of Illinois et al.

The City of Chicago.
608. vs. Appellant.
The Illinois Central Railroad Co. et al.

The People of the State of Illinois.
609. vs. Appellants.
The Illinois Central Railroad Co. et al.

&

The United States.
610. vs. Appellant.
The People of the State of Illinois et al.

The argument of these cases was commenced by Mr. B. F. Ayer of counsel for the Illinois Central Railroad Co. and continued by Mr. John S. Miller of counsel for the City of Chicago

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, October, 13th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar Justices
David J. Brewer
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court on this day by Mr. Solicitor General Aldrich it is ordered that W. B. Heyburn, Esquire, of Osburn, State of Idaho, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

419 The Illinois Central R. R. Co. Appt. vs. The People of the State of Illinois et al.
and The City of Chicago, Appt vs. The Illinois Central R. R. Co. et al.

No 9 The People of the State of Illinois Appts vs The Illinois Central R.R. Co. et al
No 10 The United States Appt. vs The People of the State of Illinois et al.

The argument of these cases was continued by Mr. John S. Miller and Mr. S.S. Gregory, of counsel for The City of Chicago, and Mr. George Hunt, of counsel for The People of the State of Illinois.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Friday, October, 14th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.
John M. Harlan
Horace Gray.
Samuel Blatchford.
Lucius L. C. Lamar.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.

Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. James Lowndes it is ordered that Robert Lewis Harrison, Esquire and William C. Capron, Esquire, of New York City be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

187 Edward Roby, Pltf in Error vs. Charles W. Colehour
188 " " " " " " " " " " et al.
189 " " " " " " " " " " "
190 " " " " " " " " " " "

On motion of Mr. John N. Jewett, leave is here by granted counsel for the plaintiff in error to file a supplemental brief in this case in addition to the motions to dismiss or affirm

George C. Gunny et al. vs. F. August Reuch et al. Appellants. 117

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. A. B. Kramer, of counsel for the appellants, and Mr. Charles B. Ezra, of counsel for the appellees.

117 The Illinois Central R.R. Co. Appl. vs. The People of the State of Illinois et al.
208. The City of Chicago, Appl. vs. The Illinois Central R.R. Co. et al.
209. The People of the State of Illinois Appl vs The Illinois Central R.R. Co. et al.
210. The United States Appl. vs. The People of the State of Illinois et al.

The argument of these cases was continued by Mr. George Hunt, of counsel for The People of the

State of Illinois, and concluded by Mr. John W. Jewett, of counsel for the Illinois Central Railroad Company.

John R. Worley, Trustee etc. vs. The Lake Shore & Michigan Southern Railway Co. Pff. in Error.

The argument of this cause was commenced by Mr. Wm. Reed Upton, of counsel for the plaintiff in error and continued by Mr. B. L. Sabin, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 7th 1878.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that William C. Jones, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

delay by Mr. Calderon Carlisle it is ordered that John A. Wright, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Wilkins et al. vs. Pepp. in Error. / George W. Gourlett et al.

1145. On consideration of the motion for leave to omit certain parts of the transcript of the record in pursuing the cause and of the argument of counsel thereupon had, as well in support of, as against the same. It is now here ordered by this Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Wilmington & Weldon Railroad Company. vs. Pepp. in Error. / E. J. Alsbrook, Sheriff etc.

1074. On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby, granted. & the cause assigned for argument on the second Monday in November next.

1099. The Duke Verque Cyrugeal ing Machine Company vs. John Featherstone et al. Appellant.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday in November next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1099. The De La Verque Reprogeal- ing Machine Company. vs. John Featherstone et al. Appellant.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

135. Chinese Sam-to-pee et al vs. The United States. Appellants

On consideration of the motion to advance these cases, It is now here

The Northwestern Indiana of Michigan and Indiana. vs. The United States. Appellants. ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the second Monday of January, 1894.

per Mr. Chief Justice Fuller.

33.

Charles W. Hawley. vs. John A. Brierly et als. Appellee. On consideration of the motion to advance this case, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is granted to counsel to file printed briefs in the case of Chester vs. The Board of Water Line Commissioners, No. 913 on the docket for the present term.

per Mr. Chief Justice Fuller.

1345.

Ex parte: In the matter of The Commonwealth of Virginia. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by

the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

In parte, In the matter of The Commonwealth of Virginia. Petitioner. On consideration of the petition of the Commonwealth of Virginia, it is now here ordered by the Court that cause be shown by the Honorable John Paul, Judge of the United States District Court for the Western District of Virginia, and as such, holding the Circuit Court of the United States for said District, before this Court, at Washington, on the second Monday of November next, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

Order.

There having been an Associate Justice of the Court appointed since the last term thereof,

It is ordered that the following allotment be made of the Chief Justice and Associate Jus-

tices of said Courts among the Circuits agreeably to the act of Congress in such cases made and provided; and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice.
For the Second Circuit, Samuel Blatchford, Associate Justice.
For the Third Circuit, George Marcus A. Associate Justice.
For the Fourth Circuit, Melville W. Fuller, Chief Justice.
For the Fifth Circuit, Lucius Q. C. Lamar, Associate Justice.
For the Sixth Circuit, Henry B. Brown, Associate Justice.
For the Seventh Circuit, John M. Harlan, Associate Justice.
For the Eighth Circuit, David J. Brewer, Associate Justice.
For the Ninth Circuit, Stephen J. Field, Associate Justice.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would adjourn at the close of business to-day until Monday next, the 24th instant.

William McPherson, Junior, &c.
Henry Carstens et al.
vs.
Robert B. Mackey, Secretary of State of the State of Michigan.

In Error to the Supreme Court of the State of Michigan.

1170. Opp. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

William Mc. Pherson, Jr. et al. Ordered by the
170. vs. Plffs. in Error. Court that the
Robert R. Blacker, Secretary etc. Clerk issue the
mandate in this
cause at once.

per Mr. Chief Justice Fuller.

The United States. The petition for a writ
1204. vs. Appellant of certiorari herein
The Steamship "Star" etc. to the United States
Circuit Court of Ap
peals for the Ninth Circuit was submitted to the consideration of the Court on a printed argument by Mr. Attorney General Miller and Mr. Solicitor General Aldrich, in support of the same.

John L. Hayes Collector &c. vs. City of Cleveland. R. H. Swayne ..... Mr. Solicitor General Aldrich, of counsel for the plaintiff in error, suggested the death of John L. Hayes the plaintiff in error herein, and moved the Court to make Elizabeth L. Hayes, Executrix of the said John L. Hayes deceased, the party plaintiff in error. Whereupon It is now here ordered by the Court that the said Elizabeth L. Hayes, Executrix of John L. Hayes deceased be, and she is hereby, made the party plaintiff in error in the cause.

1105. William Douglass Crow. vs. Appellant. George B. Burke Warden &c. ..... Mr. Solicitor General Aldrich, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause.

1106. William Douglass Crow. vs. Appellant. George B. Burke Warden &c. ..... On motion of Mr. S. Warren Smith, of counsel for the appellant It is ordered by the Court that leave be granted

the appellant to prosecute the cause in forma pauperis and that the transcript of the record be printed at public expense.

The Cincinnati Saw & Lock Company, et al.
1872. ... vs. ... Pffs. in Error.
The Grand Rapids Safety Depot Co. ...

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. Charles A. Kelley, in support of the same, and Mr. L. C. Paine and Mr. C. H. Kelley in opposition thereto.

Charles A. Hubbard, Collector &c.
1874. ... vs. ... Pff. in Error.
Charles Looby. ...

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edwin B. Smith for Mr. Lewis B. Gratiot, in support of the same, and Mr. Assistant Attorney General Maury in opposition thereto.

Ex parte: In the matter of Henry Morrison. Petitioner

Mr. Samuel C. Parker, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus hereon.

Ex parte: In the matter of Henry Morrison. Petitioner.

Mr. Samuel C. Parker, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition hereon.

The United States vs. Appellant.
1081. The Old Settlers etc., et al.
By

The Old Settlers etc. et al. vs. Appellants.
1082. The United States.

On motion of Mr. A. H. Garland of counsel for the Old Settlers et al., It is ordered by the Court that these cases be, and the same are hereby, advanced and assigned for argument on the first Monday of December next.

839. Henry B. McKee, Appellant, vs. Ward A. Lawson.
840. Ward A. Lawson et al. Appts. vs. Henry B. McKee.
841. Henry B. McKee, Appellant, vs. John N. B. Latrobe.
915. J. D. McPherson, Executor etc. Appt. vs. Henry B. McKee et al.

Mr. Enoch Totten, of counsel, suggested the death of John N. B. Latrobe, one of the parties in these cases and moved the Court that Charlotte V. Latrobe Executrix of the said John N. B. Latrobe, deceased, be made a party in these cases. Whereupon it is now here ordered by the Court that the said Charlotte V. Latrobe, Executrix of John N. B. Latrobe, deceased, be, and she is hereby, made a party in these cases.

Louis C. Shoemaker et al. Executors etc. et al. vs. Pepp. in Error. The United States on the petition of the Commission to select land for the Rock Creek Park.

1197. On motion of Mr. R. Ross Perry, of counsel for the defendant in error. It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the fourth Monday of November next.

Arnold Constable & Co		Mr. W. Allen Phillips
225	v.	on behalf of counsel
	Appellants	for the appellants, sub-
The United States.		mitted to the consid-

eration of the Court a motion to advance this cause.

Ex parte: In the matter of the		Mr. William O. Mc.
Common Council of the Village		Kenney, on behalf
of Grand Rapids, Michigan.		of counsel for the
	Petitioner.	petitioner, submit

ted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

The State of Iowa		Ordered by the Court
5. Original	v.	Complainant	that this cause be, and
The State of Illinois.		the same is hereby, re-

assigned for argument on Monday, November 28th next after the cases heretofore assigned for that day.

Franklin D. Cocrell		Appeal from the Circuit Court
681	v.	Appellant.	of the United States for the
W. P. Hancock, Admr. &c.		Western District of Tennessee.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Fuller.

1. John R. Morley, Trustee etc. vs. The Lake Shore & Michigan Southern Railway Co. Def. in Error. The argument of this cause was concluded by Mr. George Hoadly, of counsel for the plaintiff in error.

2. Louis Mette et al. vs. Daniel L. McGuckin Defs. in Error. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Jeff Chandler, and Mr. J. W. Woolworth, of counsel for the plaintiffs in error.

No counsel appeared for the defendant in error.

	Mar Bonnallett	Appeal from the Circuit
3.	vs. Appellant	Court of the United States
	Kersey Coates as Assignee	for the Western Dis-
	of the Wastern Bank	trict of Missouri

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal in the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

	Alfred Barnaby.	This cause was argued
4.	vs. Err in Error.	by Mr. F. B. McMurtrie
	The United States.	of counsel for the plain-

tiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

	Englebert H. Rohrfelter.	This cause was ar-
5.	vs. Appellant	gued by Mr. B. H.
	The Territory of New Mexico	McMahon, of coun-
	ex rel: Edward C. Wade.	sel for the appellant.

and submitted on a printed argument by Mr. C. H. Aiken, of counsel for the appellee.

The San Pedro & Canon del Agua Company.	The argument of this cause was commenced by Mr. Thomas Nelson, of counsel for the appellant
7. vs. Appellant	
The United States.	

The State of Maryland.	On motion of Mr.
6. Original. vs. Complainant.	W. A. Maury, in be-
The State of West Virginia	half of counsel, time
	is hereby granted

to file a stipulation of counsel extending the time within which to file an answer, and the time is hereby extended until the first Monday of January next pursuant to said stipulation.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 24th, 1892.

Marshal to announce the Court at 12 o'clock today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Chester Bradford, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

half by Mr. Solicitor General Aldrich it is ordered that Murrow N. Phelps, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Levitt Robinson it is ordered that C. P. Ravenel, Esquire, of Savannah, State of Georgia be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. O. Brainard it is ordered that A. L. Fitzgerald, Esquire of Eureka State of Nevada, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Arnold, Constable & Company, Appellants.
vs.
The United States.

P.C.S

On consideration of the motion to advance this cause it is now here ordered by the Court that the said motion be

and the same is hereby denied, as the record is not in condition to allow of the hearing because the individual names of the appellants do not appear.

per Mr. Chief Justice Fuller

William Douglass Crow.
vs. Appellant.
Simeon B. Burke, Warden &c

1105

On consideration of the motion to advance the cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on Monday, the 31st inst., at the head of the call for that day.

per Mr. Chief Justice Fuller.

In parte: In the matter of the Common Council of the Village of Three Rivers, Michigan. Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, & the same is hereby denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Henry Morrison. Petitioner. On consideration of the motion for leave to file petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted

per Mr. Chief Justice Fuller

Ex parte: In the matter of Henry Morrison. Petitioner. On consideration of the petition of Henry Morrison. It is now here ordered by the Court that cause be shown by the District Court of the United States for the Southern District of New York, and the Honorable Addison Brown, Judge of said Court before this Court at Washington, on the second Monday of November next at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted, as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Henry Morrison. Petitioner. On consideration of the motion for leave to file a petition for a writ of prohibition herein. It is now here ordered by the Court that said motion be and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Henry Morrison. Petitioner. On consideration of the petition of Henry Morrison, It is now here ordered by the Court that cause be shown by the District Court of the United States for the District of Nebraska and the Honorable Howard A. Nelson, Judge of said Court at Washington, on the second Monday of November next, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of prohibition should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

The Worcester Insurance Co. vs. Appl. & Aff. in Error. The United States. 754

On motion of Mr. Solicitor General Aldrich, leave is hereby granted Mr. A. G. Watson to file a printed argument in this cause on behalf of the appellee and defendant in error.

The United States. vs. Appellants. The California & Oregon Land Co. et al. 378

Mr. Solicitor General Aldrich of counsel for the appellant, submitted to the consideration of the Court a motion to advance these cases.

The United States vs. Appellant. The Dalles Military Road Co. et al. 1159

W. G. Prosser et al. vs. Appellants. The Northern Pacific Railroad Company. 203

Mr. W. C. Jones, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause and same was granted Mr. O. H. Garland, of counsel for the ap-

petition to file a brief in opposition thereto on or before Monday next.

68. Henry Sweetbraker et al vs. The First National Bank of Deadwood, Dakota. Appellants ... Appeal from the Supreme Court of the Territory of Dakota.

This cause having been called to the attention of the Court by Mr. S. S. Burdett, of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota.

per Mr. Chief Justice Fuller.

168. The State of Nebraska vs. The United States. Appellant. Mr. William B. Earle, of counsel for the appellant, submitted to the consideration of the

Court a motion to advance this cause.

322 Thomas A. Edison et al. vs. Augustus D. Klaber, trading as The Cyclostyle Co. — Appeal from the Circuit Court of the United States for the Southern District of New York

It appearing to the Court that a motion by counsel for appellants to dismiss this cause has been filed, Therefore in pursuance of said motion It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

598 Oscar A. Burtow. vs. Chester W. Wilkes, Receiver &c. — Appellant. — Appeal from the Circuit Court of the United States for the District of Vermont.

It appearing to the Court that a Stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said Stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

without costs as to either or any of the parties.

Mr. Chief Justice Fuller.

The San Pedro & Canon del Agua Company.		On motion of Mr. George Hoadly, of counsel for the appellant leave is hereby granted him
7. ... vs. ...	Appellant.	
The United States.		

to file a substituted brief for appellant herein. And also leave granted Mr. Assistant Attorney General Parker to file a reply thereto within one week.

The San Pedro & Canon del Agua Company.		The argument of this cause was continued by Mr. George Hoadly, of counsel for the appellant,
7. vs.	Appellant.	
The United States		

and Mr. Thomas Smith and Mr. Assistant Attorney General Parker of counsel for the appellee, and concluded by Mr. Hoadly, for the appellant.

Harriet B. Jones & Frank B. Jones Admx. & Admr. etc.		Appeal from the Circuit Court of the United States for the Southern District of Georgia.
16. vs.	Appellants.	
Elijo A. Cunningham et al.		

This cause having been called for hearing in its regular order and a Stipulation to dismiss this cause having been filed. Thereupon in pursuance of said Stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Railway Register Manufacturing Company, Appellant.
vs.
The Central Park, North & East River Railroad Company, & Hilton Seribner & J. L. Valentine. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause being called for hearing in its regular order on the docket and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the costs of the appellant, pursuant to the 16th rule of this Court. Whereupon It is now here ordered

it is adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

The Railway Register Manufacturing Company ..... Appeal from the
26 ..... vs. ..... Appellant. ..... Circuit Court of
The Broadway & Seventh Avenue ..... the United States
Railroad Company, C. W. Brooks ..... for the Southern
and Thomas B. Kerr. ..... District of New
..... York.

This cause being called for hearing on the regular order, on the docket and it appearing to the Court that this is the second term at which this case has been called for argument & that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the costs of the appellant pursuant to the 9th rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby dismissed with costs; and

that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Henry L. Yesler.
vs. In Error
The Board of Harbor Line
Commissioners et al.

On motion of Mr. Thomas R. Shepard of counsel for the plaintiff in error,

It is ordered by the Court that three counsel be allowed to argue the cause on behalf of the plaintiff in error, and that one hour additional time be allowed counsel on each side on the argument.

The argument of the cause was commenced by Mr. Thomas R. Shepard, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October, 25th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
George Shiras Jr.

John M. Wright, Esquire Marshal.
Jas. H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. J. A. Ralston it is ordered that William Hill Esquire, of Leavenworth State of Kansas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

J. S. Laws. vs. Pff. in Error. David D. Withers.

Mr. W. Hallett Phillips, of counsel for the plaintiff in error suggested the

65

death of David O. Withers. The defendant in error in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said David O. Withers, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the plaintiff in error shall be entitled to open the record, and, on securing leave the judgment reversed if it be erroneous: Provided however, That a copy of this order shall be printed in some newspaper of general circulation in the State of Mississippi for three successive weeks at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

21. Robert A. Ballock. vs. William R. Hooper et als. Appellant. The death of William R. Hooper, one of the appellees herein, having been suggested, and an order of publication granted and issued at the last term, now, on motion of Mr. Hal Barnard, of counsel for the appellee, It is or

dered by the Court that Franklin A. Stoper Executor of William C. Stoper deceased be, and he is hereby, made a party appellee in this cause.

Henry L. Yeater. } The argument of this
74. vs. Pff. in Error. } cause was continued
The Board of Harbor Line } by Mr. Thomas C. Hyde,
Commissioners et al. } of counsel for the
plaintiff in error, and
Mr. W. B. Gross, of counsel for the defendants in
error, and concluded by Mr. D. W. Gearhart of
counsel for the plaintiff in error.

The United States. } The cause was ar-
59 vs. Appellant. } gued by the Solicitor
Schoverling, Daly & Gales. } General Aldrich,
of counsel for the
appellant, and Mr. Albert Comstock, of counsel
for the appellee.

The Monongahela Navigation } The argu-
Company. } ment of this
732. vs. Appt & Pff. in Error. } cause was
The United States. } continued
by Mr. Johns

Mr. Cleave, of counsel for the appellee and plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Wednesday, October, 26th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

John M. Harlan.

Horace Gray.

Samuel Blatchford.

Lucius Q. C. Lamar.

David J. Brewer.

Henry B. Brown.

George Shiras, Jr.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice made the following announcement:

I will say to the gentlemen of the bar that at the conclusion of the session to-day the Court, as a mark of respect to the President of the United States and to the memory of Mrs. Harrison will adjourn until Friday morning at the usual hour.

732. The Monongahela Navigation Company. vs. Appl. & Plff. in Error. The United States.

The argument of this cause was continued by Mr. Attorney General Butler and Mr. Solicitor General Bidwell of counsel for the appellee and defendant in error. & concluded by Mr. Wayne Mac Geary of counsel for the appellant and plaintiff in error.

791. The United States vs. Appellant Perry and Ryer.

The argument of this cause was commenced by Mr. Assistant Attorney General Mawry, of counsel for the appellant.

Proclamation being made the Court is adjourned until Friday next at twelve o' clock.

Friday, October, 28th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this day by Mr. Solicitor General Aldrich it is ordered that William D Washburn, Esquire, of Chicago and Edmund S. McDonald, Esquire of Decatur State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Texas & Pacific Railway Company. vs. C. G. Nelson.

112. Pff. in Error.

In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss this cause has been filed herein in pursuance of said authority. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs: and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Northern District of Texas per Mr. Chief Justice Waite.

The United States. vs. Appellants Perry and Ayer.

794.

The argument of this cause was continued by Mr. H. C. Wray, of counsel for the plaintiff in error, and Mr. W. Wickham Smith, of counsel for the appellees, and concluded by Mr. Reed and Attorney General Maury, of counsel for the appellants.

Alexander Lewis		The argument of this
1018.	vs.	cause was commenced
The United States		by Mr. N. J. Gray, of

counsel for the plaintiff in error, continued by Mr. Assistant Attorney General Parker, of counsel for the defendant in error, and concluded by Mr. A. H. Garland, of counsel for the plaintiff in error.

B. A. Lawson (impleaded		The argument of this
with Mary Caulzahn).		cause was commenced
1019.	vs.	by Mr. A. H. Garland
The United States.		of counsel for the

plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 3rd 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John Marshall Harlan.
Horace Gray.
Samuel Blatchford } Associate
Lucius Q. C. Lamar. } Justices
Henry B. Brown.
David J. Brewer.
George Shiras Jr.

John W. Wright, Esquire Marshal
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that John L. Duncan, Esquire, of Indianapolis in State of Indiana, and Henry M. Williams, Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.C. Barnard it is ordered that William O. Harden, Esquire, of Savannah, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Aubrey G. Lewis, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Christy it is ordered that James E. Neal, Esquire, of Hamilton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Augustus H. Garland it is ordered that Walter Wightman Vandiver, Esquire, of Rome, State of Georgia, be admitted

to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The Van Wickle & Company		In Error to the Circuit
23.	vs.	Court of the United
Daily Crowell Lehman Dunn	Pff. in Error.	States for the Middle
& Company & Selah and Co		District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

(Mr. Justice Strong was not a member of the Court when this case was argued and took no part in its decision).

The United States		On consideration
1078.	vs.	Appellant.	of the motion to
The California & Oregon and Co		advance this cause.
and		It is now here

The United States ..... ordered by the
1159. vs. Appellant. Court that
The Dalles Military Road Co. et al. said motion
be, and the
same is hereby, granted and the case assigned for argument on the second Monday in January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The State of Indiana. On consideration of
1162. vs. Appellant. the motion to advance
The United States ... this case, it is now
here ordered by the
Court that said motion be, and the same is hereby, granted and the case assigned for argument on the second Monday in January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The United States. On consideration of
1204 vs. Appellant the petition for a writ
The Steamship "Nata" etc. of certiorari herein
to the United States
Circuit Court of Appeals for the Ninth Circuit.

and of the argument of counsel in support of the same.

It is now here ordered by the Court that said petition be, and the same is hereby denied, without prejudice to a renewal of the application after that Court has taken action in the case.

per Mr. Chief Justice Waite.

The Cincinnati Safe & Lock Company and G. V. Halliday. vs. Pepps. in Error. The Grand Rapids Safety Deposit Company.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

574

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Charles B. Hubbard, Collector of Customs for the District of Hartford Connecticut.		In Error to the Circuit Court of the United States for the District of Connecticut.
109.	vs. Off in Error.	
Charles Toby.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Amos Woodruff, Trustee et al.		Mr. J. Hubley Ashton, in behalf of counsel for the State of
617.	vs. Off in Error.	
The State of Mississippi et al.		

Mississippi submitted to the consideration of the Court a motion to advance this cause.

George A. Hilton.		Mr. W. Hallett Phillips in
47	vs. Appellant.	behalf of counsel for the ap
James B. Jones et al.		pellant, submitted to the
		consideration of the Court

a motion to incorporate in the record in this cause a certified transcript of the record in the case of William B. Snooks vs. James B. Hilton et al., from the District Court of the Second Judicial District of Nebraska.

John W. Noble, Secretary of		Mr. Frederic D. Mc.
the Interior, et al.		Kenney, of counsel
1157	vs. Appellants.	for the appellee, sub
The Union River Logging		mitted to the con
Railroad Company.		sideration of the
		Court a motion

to advance this cause.

The Northern Pacific Rail-		Mr. Harry Spalding,
road Company.		in behalf of counsel
436.	vs. Pff. in Error.	for the defendant in
William J. Everett.		error, suggested the
		death of William J.

Everett, the defendant in error herein, & moved the Court to make Jane Everett, Administratrix

of William J. Everett deceased, the party defendant in error in this cause. Whereupon, it is now here ordered by the Court that the said Jane Everett, Administratrix of William J. Everett, deceased, be, and she is hereby, made the party defendant in error in this cause.

B. A. Lawson (Impleaded with Mary Rautzahn)
vs. Pff. in Error.
The United States.

No. 107

The argument of this cause was continued by Mr. A. L. Williams, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Parker, of counsel for the defendant in error, and concluded by Mr. A. L. Williams, of counsel for the plaintiff in error.

Clyde Wattox
vs. Pff. in Error.
The United States.

1005

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Johnson, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

Charles B. Cook.
067. vs. Appellant.
Polden A. Hart, Sheriff etc.

The argument of this cause was commenced by Mr. B. N. Aldrich, of counsel for the applicant, and continued by Mr. W. C. Williams, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday, November, 1st, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

C. B. Hooper.
57 vs. Writ in Error.
The People of the State of California.

On motion of Mr. A. B. Brown, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed subject to the provisions of section 9 of Rule 26.

Charles B. Cook
1067 vs. Appellant.
Golden A. Hart, Sheriff etc.

The argument of this cause was continued by Mr. W. B. Williams of counsel for the appellee, and concluded by Mr. G. H. Aldrich, of counsel for the appellant.

William Douglass Cross,
1105 vs. Appellant.
Jerome B. Burke, Warden etc.

The argument of this cause was commenced by Mr. Joseph Stallings, of counsel for the appellant continued by Mr. Solicitor General Aldrich of counsel for the appellee, and concluded by Mr. Charles Maurice Smith, of counsel for the appellant.

Robert A. Balloch.
21. vs. Appellant.
G. H. Hooper, Executor etc

Ordered by the Court that this cause be, & the same is hereby, passed.

William W. Hickins et al.
24. vs. Appellants.
Charles B. Hicks et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

	The Washington & Georgetown Railroad Co.	Ordered by the Court that this
27.	vs. Appellants	cause be, and
	The District of Columbia et al.	the same is hereby, passed.

	Aswalla A. Ware et al.	This cause was sub-
28.	vs. Appellants	mitted to the consid-
	The Galveston City Company.	eration of the Court

on the record and printed arguments by Mr. Walter Greatham, of counsel for the appellants, and Mr. A. H. Willis of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 2d. 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Collett it is ordered that John G. Milburn, Israel Williams, Michael O. Burns and Allen Andrews, Esquires, of Hamilton, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

34 John L. Harder. vs. Benjamin J. Wilson. Appellant.

Mr. William D. Hardin, of counsel for the appellant, suggested the death of John L. Harder, the appellant herein, and moved the Court to make Joseph D. Weed, Executor of the said John L. Harder, the party appellant in this cause. Whereupon, It is now here ordered by the Court that the said Joseph D. Weed Executor of John L. Harder, deceased, be, and he is hereby, made the party appellant in this cause.

35 John A. Hullinger et al. vs. The United States. Appellants.

On motion of Mr. Assistant Attorney General Colton, of counsel for the appellee,

It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

36 Charles Foster. vs The Manufacturers' Coldwater and Lake Michigan R.R. Co. et al. Appellant.

This cause was argued by Mr. John F. Doyle, of counsel for the appellant, and

submitted on a printed argument by Mr. J. E. Brooks of counsel for the appellee.

Martha C. Hathaway et al.
30. vs. Appellants.
The United States.

Ordered by the Court that this cause be, & the same is hereby, passed.

The Hamilton Gas Light and Coke Co.
32. vs. Appellant.
The City of Hamilton.

The argument of this cause was commenced by Mr. S. C. Smith, of counsel for the appellant, and continued by Mr Allen Andrews and Mr. Josiah Williams, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, November, 3d, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Hoadly it is ordered that Edward B. Hall, Esquire, of Hamilton, State of Ohio and William W. Swan, Esquire, of Boston, State of Massachusetts be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Hamilton Gas Light and Coke Company.
32. vs. Appellant.
The City of Hamilton

The argument of this cause was concluded by Mr. John F. Heran, of counsel for the appellant.

John L. Hardee.
34. vs. Appellant.
Benjamin J. Wilson.

On motion of Mr. William O. Hardee, of counsel for the appellant, It is ordered by the Court that the order entered herein on the 2d instant making Joseph O. Weed Executor of John L. Hardee deceased, the party appellant in this cause be, and the same is hereby, rescinded and annulled.

John L. Hardee.
34 vs. Appellant.
Benjamin J. Wilson.

Mr. William O. Hardee, of counsel for the appellant, suggested the death of John L. Hardee, the appellant herein, and moved the Court to make Mary Ellen Hardee and John J. Hoddard Executrix and Executor of the said John L. Hardee, the parties appellants in this cause. Whereupon, It is now here ordered by the Court that the said Mary Ellen Hardee and John J. Hod-

dard, Executrix and Executor of John L. Hardee, deceased be and they are hereby, made the parties appellants hereto.

Mary Ellen Hardee &c. John S. Stoddard, Executrix & Executor, etc.
94 vs Appellants
Benjamin J. Wilson.

The cause was argued by Mr. William D. Hardee, of counsel for the appellants, and Mr. F. P. Ravenel, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November 4th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford Justices.
David J. Brewer
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

862 The United States, Appt. vs. The Colfax Marble & Lime Co. et al.
863 " " " " The Southern Pacific R.R. Co. et al.
921. " " " " " " " " " " "
922. " " " " " " " " " " "

On motion of Mr. Assistant Attorney General Maury, of counsel for the appellant, It is ordered by the Court that these cases be, and they are hereby, assigned for argument on Wednesday, the

9th mst aut.

37. George J. Mc. Hurley, Trustee, vs. Appellants. The Toledo and Ohio Central R'y Co. et al. — The argument of this cause was commenced by Mr. George Hoadly, of counsel for the appellants continued by Mr. Stevenson Burke, of counsel for the appellee, and concluded by Mr. Ficker A. Baker, of counsel for the appellants.

38. The City of Baltimore. vs. Pltf. in Error. The Baltimore & Ohio Railroad Co. et al. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. A. Gallaher, of counsel for the plaintiff in error, and Mr. John K. Cowen and Mr. Hughes L. Bond Jr. of counsel for the defendants in error.

Recess then being made the Court is adjourned until Monday next, at twelve o'clock.

Monday, November 7th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. Corcoran it is ordered that Charles Frederick Adams, Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of the Court and he was sworn accordingly.

Alfred Barnsdow. In Error to the Circuit Court
vs. Cty in Error. of the United States for the East
The United States. ern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

The United States. It is ordered by the Court
vs. Appellants. that the title of this cause
Perry and Eyer. be amended by inserting
the name of the undivided-
ual members of the firm of Perry and Eyer.

per Mr. Justice Brown.

The United States. vs. Appellant. Perry & Myer, composed of Edward W. Perry, John C. Myer, Edward P. Coons and Fred W. Doty. 704

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Brown.

The United States. vs. Appellant. Schoverling, Daly & Gales. 690

It is ordered by the Court that the title of this cause be amended by inserting the names of the individual members of the firm of Schoverling, Daly and Gales.

Per [illegible]

The United States.		Appeal from the
186.	vs.	Circuit Court of
Schooner, Boat and Gear,	Appellant.	the United States
composed of August Schoon-		for the Southern
ner, Charles Kay & Joseph		District of New
Gales.		York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Blatchford.

Edward Roby.		In Error to the Supreme
187	vs.	Court of the State of
Charles W. Schehour.	Pff. in Error.	Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motions to dismiss or affirm, which were argued by counsel. On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Edward Roby,
vs.
Charles W. Colehour &
James E. Clarke.

In Error to the Supreme Court of the State of Illinois.

188.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Edward Roby,
vs.
Charles W. Colehour and
Jared Myers Clarke.

In Error to the Supreme Court of the State of Illinois.

989.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Edward Roby.....
vs. In Error to the Supreme Court of the State of Illinois.
170 Plff. in Error.
Charles W. Colehour &
William H. Colehour.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

George A. Hilton.
47 vs. Appellant.
James E. Jones et al.

On consideration of the motion to incorporate in the record in this case a certified copy of the transcript of the record in the case of William B. Lincoln vs. James E. Hilton et al. from the District Court for the Second Judicial District of Nebraska. It is now here ordered by the Court that leave be, and the same is hereby granted to file said transcript, and the determination of the motion to incorporate the same in the transcript of the record in this case is postponed to the hearing on the merits.

per Mr. Chief Justice Fuller.

Isaac Woodruff, Trustee et al.
617 vs. Plffs. in Error.
The State of Mississippi et al.

On consideration of the motion to advance this cause. It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday in January next, after the cases heretofore assigned for that date.

per Mr. Chief Justice Fuller.

John W. Noble Secretary of the Interior, et al. ... Appellants ... vs. ... The Union Pacific Railroad Company. ...

1157.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted, and the cause assigned for argument on the second Monday in December next.

per Mr. Chief Justice Fuller.

W. P. Prosser et al. ... Appellants ... vs. ... The Northern Pacific R.R. Co. ...

1202.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be granted if counsel agree to confine the oral argument to one hour on each side; and the case is assigned on that understanding, for argument on the second Monday in January next after the cases heretofore assigned for that day

per Mr. Chief Justice Fuller.

William Mc. Pierson Jr. et al.
70. vs. Apps. in Error.
Robert B. Blacker, Secretary of State of the State of Michigan.

Mr. Chief Justice Fuller read and filed the decision of the Court in this cause

Ex parte: In the matter of
The Commonwealth of Virginia.
7 Original. Petitioner.

On motion of the Assistant Attorney General William Counsel for the respondent, It is ordered by the Court that the return day of the rule to show cause issued herein, be postponed to the 21st instant.

George A. Walker, Treasurer et al.
206 vs. Appellants
The Northeastern Railroad Co.
and
D. E. Keels et al.
207 vs. Appellants.
The Central Railroad Co. of S. C.

Mr. D. L. McLaurin of Counsel for the appellants, submitted to the consideration of the Court motions to advance these cases

1218. Margaret Billings et al. vs. The Aspen Mining & Smelting Company et al. Appellants. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Calderon Carlisle, of counsel for the appellants in support of the same, and Mr. E. J. Dimmock, of counsel for the appellants in opposition thereto.

43. Dolores E. Salvatierra et al. vs. The Santa Rita Land & Mining Company et al. Appellants. Mr. Archibald Reid, of counsel for the appellants, suggested the death of Frank Bly, one of the appellants herein, and moved the Court to make Santiago Amesa Administrator of the said Frank Bly a party appellant herein. Whereupon it is now here ordered by the Court that the said Santiago Amesa, Administrator of Frank Bly, deceased, be, and he is hereby made a party appellant in this cause.

The Southern Pacific Co.
703. vs. Writ of Error.
Elizabeth L. Denton.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. D. McKinstry in support of the same and Mr. J. Hartley Denton in opposition thereto.

Henry Root.
89 vs. Appellant.
The Third Avenue R.R. Co.

This cause was argued by Mr. F. C. Loveland of counsel for the appellant and Mr. Stuart Gibbs and Mr. Edmund Wetmore of counsel for the appellee.

Edward W. Hallinger.
1100. vs Appellant.
Robert Davis, Jailor etc.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. A. Lindsley of counsel for the appellee, and leave was granted Mr. R. D. Rice of counsel for the appellant to file a printed brief on or before Friday next

Robert T. Bullock.
21. vs. Appellant. The argument of this cause was commenced by Mr. L. L. Heiskell of
R. H. Hooper, Executor, et al.

counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, November, 8th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
Lucius Q. C. Lamar.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Hancock Inspiration Company, Appellant, vs. Samuel M. Rogerson et al. } Appeal from the Circuit Court of the United States for the District of Maryland.

No.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the trans-

cript of the record. It is therefore in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

Robert A. Balloch.
vs. Appellant.
C. H. Harper, Executor et al.

The argument of this cause was continued by Mr. L. L. Stubbs of counsel for the appellant and Mr. Jos. Barnard, of counsel for the appellee, and concluded by Mr. L. L. Stubbs of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 7th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field

John M. Harlan

Horace Gray

Samuel Blatchford. Associate

Lucius L. C. Lamar. Justices

David J. Brewer.

Henry B. Brown.

George Shiras, Jr.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

862 The United States, Appt. vs. The Potter Marble & Lime Co. et al.

749 " " " " " The Southern Pacific R.R. Co. et al.

751 " " " " " " " " " " " "

752 " " " " " " " " " " " "

On motion of Mr. Assistant Attorney General Maury, it is ordered that counsel for the appellant & counsel on each side are allowed one hour additional

time for the argument of these cases.

The argument of these cases was commenced by Mr. Assistant Attorney General Maury, of counsel for the applicant, and continued by Mr. James C. Carter, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, November 10th. 1892.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. McBaumon it is ordered that William C. Wayne, Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this be-

ing by Mr. William D. Mowry it is ordered that Charles Neale, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

814 The United States, Appt. vs. The Cotton Valley Land Co. et al.
868 " " " " The Southern Pacific R.R. Co. et al.
751 " " " " " " " " " " " "
922 " " " " " " " " " " " "

The argument of these cases was continued by Mr. James C. Carter, of counsel for the appellees, and concluded by Mr. Assistant Attorney General Mowry, of counsel for the appellant.

The Washington & Georgetown Railroad Company, Appellant.
87 vs.
The District of Columbia et al.

The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, November 17th, 1876.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Samuel A. Swayne, Executor of Henry Savage. vs. The United States. Appellant

No. 519.

Mr. Assistant Attorney General Cotton, of counsel for the appellee, having filed in open Court the following certificate to wit:

In the Court of Claims.
December Term 1876.

I Archibald Hopkins, Clerk of the Court of Claims do hereby certify that in a certain cause pending in said Court wherein Samuel A. Savage, Executor of Henry Savage was complainant & The United States was defendant a final judgment was rendered by said Court of Claims on the 2d day of April A.D. 1888, in favor of the said defendant and against the said claimant and that on the 17th day of April A.D. 1888 the said complainant prayed an appeal to the Supreme Court of the United States, which on said last date was duly allowed.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Court of Claims at Washington, this 9th day of November, 1892.

Archibald Hopkins,
Cl. Clerk.

Seal.

moved the Court to docket and dismiss the cause pursuant to the 9th rule: and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court It is now here order-

ed and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby, docketed and dismissed: And that this cause be, and the same is hereby, remanded to the said Court of Claims to be proceeded in according to law and justice

Per Mr. Chief Justice Fuller

Mary B. Campbell, Administratrix etc., et al.
vs. Appts. in Error.
Bernard O'Neill, Administrator of P. L. Quackenbush, dec'd.

Mr. A. G. Riddle of counsel for the defendant in error filed in open Court the following certificate to wit:

I, Theodore G. Boag, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina do hereby certify that in a cause lately pending in said Court wherein Mary B. Campbell, Administratrix of James B. Campbell, deceased, William Henry Prescott and William B. Barker were appellants and Bernard O'Neill, Administrator of P. L. Quackenbush, deceased, was appellee a final judgment was entered by said Court on the

eighth day of July A.D. 1898, in favor of said appellee and against said appellants and that on the twenty-second day of July, A.D. 1898 said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States and that the citation on said writ of error bears date of the twenty second day of July, A.D. 1898.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November A.D. 98

{Seal}

Wm. G. Craig.

C.C.C.P. & G.S.

moved the Court to docket and dismiss this cause pursuant to the 7th rule; and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court. It is therefore ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina be and the same is hereby docketed and dismissed with

costs; and that this cause be, and the same is hereby remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Mary B. Campbell, Adminis-
tratrix etc., et al.
221 ... vs. ... Plffs. in Error.
D. J. Quigley, Executor of W. A.
Mc. Hugh, deceased.

Mr. A. G. Riddle of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"I, Theodore G. Boag, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that in a cause lately pending in said Court wherein Mary B. Campbell, Administratrix of James E. Campbell, deceased, William Henry Ewbank and William B. Earle, were appellants and D. J. Quigley, Executor of W. A. Mc. Hugh, deceased, was appellee a final judgment was entered by said Court on the eighth day of July, A. D. 1896 in favor of said appellee and against said appellants and that

on the twenty-second day of July A.D. 1892. said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States and that the citation on said writ of error bears date of the twenty second day of July. A.D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this twelfth day of November, A. D. 1892.

Theo. G. Boag.
C.C.P. & G.S.

f Lieb. 3.

moved the Court to docket and dismiss the cause pursuant to the 7th rule: and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rule of this Court, It is therefore ordered and adjudged by the Court that the writ of error in the cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina be, and the same is hereby docketed and dismissed with costs: And that the cause be, & the same

is hereby remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Mary C. Campbell, Administratrix etc., et al. vs. Peyo. in Error
1222. Henry Hoffman, Administrator of Henry Hencken, deceased.

Mr. D. H. Hudson, of counsel for the defendant in error, Henry filed in open Court the following certificate, to wit:

"I, Theodore G. Barg, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that in a cause lately pending in said Court wherein Mary C. Campbell, Administratrix of James C. Campbell, deceased, William Henry Prescott and William E. Baxter were appellants and Henry Hoffman, Administrator of Henry Hencken, deceased was appellee, a final judgment was entered by said Court on the eighth day of July, A.D. 1876, in favor of said appellee and against said appellants, that on the twenty-second day of July, A.D. 1876

said appellants such writ of error to said Court of Common Pleas and General Sessions, directed to remove said cause to the Supreme Court of the United States, and that the citation on said writ of error bears date of the twenty-second day of July, A.D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this tenth day of November, A.D. 1892.

{Seal}. Thos. G. Boag,
C.C.P. & G.S.

moved the Court to docket and dismiss this cause, pursuant to the 9th rule: and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, be, and the same is hereby, docketed & dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be

proceeded in according to law and justice.

per Mr. Chief Justice Fuller

Mary B. Campbell, Administratrix etc., et al.

vs.

Henry Oliver, Administrator of E. Collins, deceased.

Plffs. in Error.

Mr. A. G. Riddle of counsel for the defendant in error, having filed in open Court the following

(625)

certificate, to wit:

"I, Rhodes B. Gray, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina do hereby certify that in a cause lately pending in said Court wherein Mary B. Campbell, Administratrix of James B. Campbell, deceased, William Henry Prescott and William E. Earle, were appellants, and Henry Oliver, Administrator of E. Collins deceased was appellee, a final judgment was entered by said Court on the sixth day of July, A.D. 1892, in favor of said appellee, and against said appellants and that on the twenty-second day of July, A.D. 1892, said appellants sued out a writ of error to said Court of Common Pleas and

General Session directed to remove said cause to the Supreme Court of the United States, and that the citation on said writ of error bears date of the twenty second day of July A.D. 1892.

In Testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November A.D. 1892.

[Seal] Chas. E. Bragg,
C.C.P. & G.S."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court, It is therefore ordered and adjudged by the Court that the writ of error in this cause to the Court of Common Pleas and General Session for the County of Charleston, State of South Carolina be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Session to be proceeded in according to law and justice.

Per Curiam. Chief Justice Fuller.

Mary B. Campbell, Administratrix etc., et al. vs. B. G. Beattie, Administrator of Annie Beattie, deceased.

524. Writ. in Error.

Mr. A. G. Riddle, of counsel for the defendant in error, having filed in open Court the following

certificate, to wit:

I, Theodore G. Boag, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that in a cause lately pending in said Court wherein Mary B. Campbell, Administratrix of James B. Campbell, deceased, William Henry Prescott and William B. Earle were appellants and B. G. Beattie, Administrator of Annie Beattie deceased, was appellee, a final judgment was entered by said Court on the fourth day of September A.D. 1892 in favor of said appellee against said appellants, and that on the tenth day of September A.D. 1892, said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation on said writ of error bears date of the tenth day

of September, A.D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November, A.D. 1892.

Thos. G. Bourg.

C.C.P. & G.S."

Edmd. J.

moved the Court to docket and dismiss this cause, pursuant to the 7th rule, and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Mary B. Campbell, Adminis-
tratrix etc., et al.
225. vs. Pffs. in Error.
Samuel Sanders.

Mr. A. Blythe of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"I, Theodore G. Boag, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that at a cause duly tried in my said Court wherein Mary B. Campbell, Administratrix of James A. Campbell, deceased, William Henry Prescott and Sullivan B. Earle were appellants, and Samuel Sanders was appellee, a final judgment was entered by said Court on the tenth day of September, A.D. 1892, in favor of said appellee, and against said appellants, and that on the tenth day of September A.D. 1892, said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation in said writ of error bears date of the tenth day of September, A.D. 1892.

In testimony whereof, I hereunto sub-

scribe my name and affix the seal of said Court at Charleston this twelfth day of November A.D. 1892.

E. Seal 3. Thos. G. Boag.

C.C.C. & G.S."

moved the Court to docket and dismiss this cause pursuant to the 7th rule: and it appearing to the Court that the plaintiffs in error have failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by the Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, be and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Mary B. Campbell, Administratrix &c., et al.

vs.

T. S. Grimke, Administrator of W. B. Simons, deceased.

1236. Offs. in Error.

Mr. A. G. Riddle, for counsel for the defendant in error having filed an opinion

Court the following certificate, to wit:

I, Theodore G. Boag, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that in a cause lately pending in said Court wherein Mary B. Campbell Administratrix of James B. Campbell, deceased, William Henry Grescott and William E. Earle were appellants and C. S. Gruneke, Administrator of W. S. Simons, deceased, was appellee, a final judgment was entered by said Court on the tenth day of September, A. D. 1892, in favor of said appellee against said appellants, and that on the tenth day of September A. D. 1892, said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation on said writ of error bears date of the tenth day of September, A. D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this tenth day of November A.D. 1892.

[Seal.] Theo. G. Boag.
C.C.C. & G.S."

ordered the Court to Adjourn until tomorrow Nov

cause pursuant to the 9th rule: and it appearing to the Court that the plaintiffs in error have failed to have their cause filed & docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina be, and the same is hereby, dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law & justice.

per Mr. Chief Justice Chase.

Mary C. Campbell, Administratrix etc. et al. vs. Pipps in Error. Henry Oliver Administrator of Patrick Colvin deceased

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Mr. D. T. Riddle, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"I, Theodore G. Barg, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina.

do hereby certify that in a cause lately pending in said Court wherein Mary B. Campbell Administratrix of Cause B. Campbell deceased William Henry Prescott and William B. Earle were appellants and Henry Oliver Administrator of Patrick Collins deceased were appellees a final judgment was entered by said Court on the tenth day of September A.D. 1892 in favor of said appellee and against said appellants and that on the tenth day of September A.D. 1892, said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States and that the citation on said writ of error bears date of the tenth day of September A.D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November A. D. 1892.

[Seal]. Theo. G. Boag.
C. C. C. P. & G. S.

moved the Court to docket and dismiss this cause; pursuant to the 9th rule: and it appearing to the Court that the plaintiffs ...

error have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Mary B. Campbell, Administratrix etc., et al ..... Mr. D. H. Riddle, of counsel for

1228. vs. ..... Pepp. in Error. the defendant

Christina Pehlkopf, Administratrix of J. C. Strickfuss, deceased. in error, having filed in open Court the following certificate, to wit:

I, Theodore G. Long, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina do hereby certify that in a cause lately pend-

ing in said Court wherein Mary E. Campbell, Administratrix of James B. Campbell, deceased, William Henry Creech and William E. Burn were appellants and Christina Rehkopf, Administratrix of J. P. Rehkopf deceased were appellee a final judgment was entered by said Court on the twelfth day of July A.D. 1892 in favor of said appellee and against said appellants, and that on the twenty-second day of July A.D. 1892 said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation in said writ of error bears date of the twenty second day of July, A.D. 1892.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November A.D. 1892.

[Seal.] Geo. G. Boag.
C.C.P. & G.S."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the plaintiffs

no error have failed to have their cause filed and docketed in conformity with the rules of this Court, It is therefore ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina be, and the same is hereby, docketed and dismissed with costs, and that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Chase.

Mary B. Campbell, Administratrix etc., et al. ..... Mr. O. G. Riddle, of counsel for the defendant in error, having filed in open Court

1229 v. Writ in Error

Annie B. Peterson, Administratrix of P. G. Morgan, deceased. .....

the following certificate to wit:

"I, Theodore G. Bourg, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that no cause duly pend-

ing in said Court wherein Mary B. Campbell, Administratrix of James B. Campbell, deceased; William Henry Prescott and William B. Earle were appellants and Annie P. Peterson, Administratrix of P. J. Goggan, deceased was appellee a final judgment was entered by said Court on the eighth day of July A.D. 1892 in favor of said appellee and against said appellants, and that on the twenty-second day of July, A.D. 1892, said appellants sued out a writ of error to said Court of Common Pleas, and General Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation in said writ of error bears date of the twenty second day of July, A.D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November, A.D. 1892.

(Seal.) Theo. G. Bogg.
C.C.P. and G.S."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the plaintiffs

no error have failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Mary B. Campbell, Administratrix etc., et al.

vs. Writ in Error.

F. A. Dehlinger, Administrator of Wm. Marocher, deceased.

Mr. A. G. Riddle, of counsel for the defendant in error, having filed in open Court the following certificate to wit:

"I, Theodore G. Boag, Clerk of the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, do hereby certify that no a cause lately

pending in said Court wherein Mary B Campbell, Administratrix of James B Campbell, deceased, William Henry Prescott and William B. Burke were appellants and C. A. Dollage, Administrator of C.W. Macracken, deceased, was appellee a final judgment was entered by said Court on the eighth day of July, A.D. 1892, in favor of said appellee and against said appellants, and that on the twenty-second day of July, A.D. 1892, said appellants sued out a writ of error to said Court of Common Pleas and General Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation on said writ of error bears date of the twenty-second day of July, A.D. 1892

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this ninth day of November, A.D. 1892.

(Seal) Theo. G. Bragg.

C.C.P. & G.S.

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the plaintiffs

in error have failed to have this cause, filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina be, and the same is hereby, docketed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas and General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Chase.

Mary E. Campbell, Administratrix, etc., et al. ..... Mr. A. G. Riddle, of counsel for the defendants in error, having filed in open Court the

12.81. vs. Pltfs. in Error.

Ann Laffan, Administratrix of James Carroll, deceased.

following certificate, to wit:

I, Theodore G. Barg, Clerk of the Court of Common Pleas and General Session for the County of Charleston State of South Carolina, do hereby certify that in a cause lately pend-

ing in said Court wherein Mary S. Campbell, Administratrix of James S. Campbell deceased, William Henry Elwood, & William B. Clarke, were appellants, and Ann Lyttan Administratrix of James Barrett, deceased, was appellee in which judgment was entered by said Court on the eighth day of July A.D. 1892 in favor of said appellee and against said appellants and that on the twenty second day of July, A.D. 1892 said appellants sued out a writ of error to said Court of Common Pleas and Quarter Sessions directed to remove said cause to the Supreme Court of the United States, and that the citation on said writ of error bears date of the twenty second day of July, A.D. 1892.

In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Charleston this twelfth day of November, A.D. 1892.

[Seal] Thos. G. Boag.
C.C.P. & G.S."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the plaintiffs

no error have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered and adjudged by this Court that the writ of error in this cause to the Court of Common Pleas and General Sessions for the County of Charleston, State of South Carolina, be and the same is hereby, dismissed and dismissed with costs: And that this cause be, and the same is hereby, remanded to the said Court of Common Pleas & General Sessions to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

The Worcester Mutual Fire Ins. Co.			Ordered by the Court that the cause be, & the same is hereby continued for stipulation of counsel.
148.	vs.	Pff. in Error.	
The Home Friendly Mutual Life Insurance Co.			
The Washington & Georgetown Railroad Co.			The argument of this cause was concluded by Mr. U. S.
57.	vs.	Appellant.	
The District of Columbia et al.			

Davidge, of counsel for the applicant, and the cause was submitted on a printed argument by Mr. G. C. Hazelton and Mr. S. T. Thomas, of counsel for the appellee.

Martha P. Stansbury et al. Executors, etc. vs. Appellants. The United States.

This cause was argued by Mr. Enoch Totten, of counsel for the appellants and Mr. Assistant Attorney General Cotton of counsel for the appellee.

Philander Derby et al. vs. Appellants. Daniel L. Thompson et al.

The argument of this cause was commenced by Mr. A. V. Brown of counsel for the appellants and continued by Mr. J. B. Waymadier, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, November, 14th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

John M. Harlan.

Horace Gray

Samuel Blatchford Associate

Lucius L. C. Lamar. Justices

David J. Brewer.

Henry B. Brown.

George Shiras, Jr.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. S. B. Murray it is ordered that Albert J. Wing, Esquire, of Youngstown, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this

Motion by Mr. W. L. Cole it is ordered that John B. Laidley, Esquire of Huntington, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. L. Bond it is ordered that Charles E. Packard, Esquire, of Cicero, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel T. Phillips it is ordered that Alfred W. Haywood, Esquire, of Raleigh, Thomas W. Hill, Esquire, of Halifax, and W. A. Day, Esquire, of Weldon, State of North Carolina, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter A. Smith it is ordered that Joseph Gasowski, Esquire of Wyoming-

New District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John R. Worley, Trustee of the estate of John L. Brouly. vs. The Lake Shore & Michigan Southern Railway Company

In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

Dissenting:

Mr. Justice Harlan.
Mr. Justice Field and
Mr. Justice Brewer.

Charles Foster. Appeal from
23 vs. Appellant. The Circuit Court
The Mansfield, Coldwater & of the United
Lake Michigan Railway States for the
Company, The Cincinnati Northern Dis-
Railroad Company et al. trict of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brown.

The San Pedro & Santa Fe Appeal from the Su-
del Agua Company. preme Court of the
17 vs. Appellant. Territory of New
The United States. Mexico.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the Territory of New Mexico, & was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

38. Asenath D. Ware, David C. Lamprey, Mary A. Hollyshaw et al. ..... Appellants
vs.
The Calumet City Company. ..... Appellee

Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

38. The City of Baltimore, Plff. in Error, vs. The Baltimore & Ohio Railroad Company & The United Ohio Railroad Company (as reorganized). In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed for want of jurisdiction, with costs against The Baltimore and Ohio Railroad Company; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award costs against The Baltimore and Ohio Railroad Company in that Court, and to remand the case to the State Court.

Per Mr. Justice Gray.

1206. George H. Walker Treasurer etc. et al. vs. Appellants The North Eastern Railroad Company. &c. D. E. Keels et al. vs. Appellants The Central Railroad Company of South Carolina. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cause assigned for argument on the second Monday of January next after the cause heretofore assigned for that day.

per Mr. Chief Justice Waite.

1008. Clyde Walker. vs. The United States. In Error to the District Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof It is now here ordered and

adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with a direction to grant a new trial.

per Mr. Chief Justice Waite.

William Douglass Cross. — Appeal from the
1105 vs. — Appellant. — Supreme Court
Jerome B. Burke, Warden of — of the District
the Jail for the District of Columbia. — of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Waite.

George Legg. In Error to the Cir-
50 vs. cuit Court of the
Edward L. Hoxton, late United States for
Collector of the Port of the Southern Dis-
New York. trict of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Conrade, of counsel for the defendant in error, he having filed the following confession of error, to wit:

"And now, November 14, 1892, comes the Solicitor General, on behalf of the defendant in error in the above entitled cause, and confessing error, moves the Court to reverse the judgment therein and grant a new trial."

Therefore, in pursuance of said confession of error, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Co. Mr. O. H. Ba-
1194. vs. Appellant. ker, of
Charles L. Walker et als counsel for
the appellant
submitted to the consideration of the Court
a motion to advance this cause.

The American Cable and Mr. C. B. Murray,
Trans Company. of counsel for the
1195. vs. Plff. in Error. defendant in er-
Queen Brass. Guardian etc. ror submitted
to the consider
ation of the Court a suggestion of a diminu
tion of the record and a motion for a writ
of certiorari therein.

The United States ex rel: Elizabeth Mr. Harry
Brash. Spalding,
1232. vs. Plff. in Error. of counsel
for the plain
John Wanamaker, Postmaster tiff in error
General. submitted
to the consideration of the Court a motion
to advance this cause.

The St. Louis, Arkansas & Texas Railway Company.
vs.
The Union Bridge Company

No. 93. Plff. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Orlando Kirby et al.
vs.
Daniel L. Thompson et al.

No. 46. Appellants.

The argument of this cause was continued by Mr. J. E. Maynadier, of counsel for the appellees, and concluded by Mr. A. v. Brisen, of counsel for the appellants.

Henry W. Otis, Assignee etc.
vs.
William H. Wallace

No. 71. Plff. in Error.

This cause was argued by Mr. Sidney Webb, of

counsel for the plaintiff in error, and Mr. C. E. Gracy, of counsel for the defendant in error.

Louis Cameron. vs. The United States. Appellant.

The argument of this cause was commenced by Mr. Rochester, and of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday. November 15th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. N. Ames it is ordered that John W. Little, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. James C. Carter it is ordered that L. L. Van Amee and Samuel Greenbaum, Esqrs. of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

862 The United States, Appt. vs The Boston Electric Light Co. et al.
868 " " " " The Southern Pacific R.R. Co. et al.
121 " " " " " " " "
752 " " " " " " " "

On motion of Mr. James C. Carter, of counsel for the appellees, leave is hereby granted him to file supplemental briefs in these cases and the Solicitor General is given to file a reply thereto on or before Friday next.

Passavant and Co. Appellants
1118. vs.
The United States.

Mr. Edwin B. Smith, of counsel for the appellants, submitted to the consideration of the Court a motion to advance this cause

Edw Curtis. The argument of this
142 vs. Appellants cause was continued
The United States. by Mr. Solicitor Bond
of counsel for the ap-
pellants, and Mr. Solicitor General Bristow, of
counsel for the appellee, and concluded by Mr.
James C. Carter, of counsel for the appellants.

Delores L. Eslizarrow et al. Ordered by the
143. vs. Appellants Court that this
The Santa Rita Land & Mining cause be, and
Co. et al the same is
hereby, continu-
ued until the next term.

Henry Lange. The argument of this
144 vs. Pff. in Error. cause was commen
B. L. Hidden, late Collector etc. ced by Mr. Edwin
B. Smith, of counsel
for the plaintiff in error.

Whereupon being made the Court is adjourned
until to-morrow at twelve o'clock.

Wednesday, November, 16th, 1892.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.

John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Dolores G. Astiazaran et al. vs. Appellants. On motion of Mr. Clerk and Mr. Cook, of counsel for the appellants it is ordered by the Court that a writ of certiorari be, and the same is hereby, granted, as prayed

The Santa Rita Land & Mining Company et al.

*3

George H. Hilton. On motion of Mr. James
47 vs. Appellants. L. Marlow, of counsel
James E. Yeaw et al. for the appellant, It is
ordered by the Court
that this cause be passed, subject to the pro-
visions of section 9 of Rule 26.

Henry Runge. The arguments of
144 vs. Pff. in Error this cause were con-
E.L. Hobbs, late Collector &c. tinued by Mr. As-
sistant Attorney
General Maury, of counsel for the defendant
in error, and concluded by Mr. Edwin B. Smith
of counsel for the plaintiff in error.

Lippincott Coffin et al. This cause was ar-
95 vs. Pffs. in Error gued by Mr. Edwin
E.L. Hobbs, late Collector &c. B. Smith, of coun-
sel for the plaintiffs
in error, and Mr. Solicitor General Ba-
radie, of counsel for the defendant in error.

The De La Vergne Refrigerating Machine Co. " " " vs John Featherstone et al. Appellant.

The argument of this cause was commenced by Mr. Edwin Bowie, of counsel for the appellant and continued by Mr. L. L. Bond, of counsel for the appellee, and Mr. Edmund Watrous, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, November 17th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Levi Woodbury it is ordered that George E. Jacobs, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Shields it is order-

ed that C.R. Dysart, Esquire, of Macon, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The De La Vergne Refrigerating Machine Company. vs. John Featherstone et al. 199. Appellant.

The argument of this cause was concluded by Mr. Edmund Wetmore, of counsel for the appellant, and leave was granted Mr. Charles H. Aldrich to file a printed brief herein and Mr. L.L. Bond to file a reply thereto.

The Wilmington and Weldon Railroad Company. vs. B.I. Alsbrook, Sheriff etc. 374. Plff. in Error

The argument of this cause was commenced by Mr. Simms E. Phillips, of counsel for the plaintiff in error, and continued by Mr. R.O. Burton, of counsel for the defendant in error and concluded by Mr. Thomas W. Hill of counsel for the plaintiff in error.

James M. Thompson Et John B. Thompson Executors &c.	vs.	The Plaintiff in Error
The St Nicholas National Bank		

The record of the Court was commenced by Mr. Louis Sanders, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Friday November 8th 1872

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer Justices
Henry B. Brown.
George Shiras. Jr.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the way by Mr. J. W. Yerkes it is ordered that William Worthington Esquire of Cincinnati State of Ohio be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the way by Hon. Wm. Allen Butler it is ordered that Lester Horr Clark, Esquire, of

Couture, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Annie Le Thompson vs. John C. Thompson, Executor etc.
49. vs. Pffs. in Error.
The St. Victorian National Bank.

The argument of this cause was continued by Mr. Laura Sanders, of counsel for the plaintiffs in error, and Mr. W. Allen Butler of counsel for the defendants in error and concluded by Mr. Laura Sanders, of counsel for the plaintiffs in error.

The United States.
51. vs. Appellants.
Charles Allen Cummington et al.
And
Charles Allen Cummington et al.
52. vs. Appellants.
The United States.

These cases were argued by Mr. George D. King, of counsel for Cummington et al, and Mr. Solicitor General Aldrich of counsel for the United States.

Levi Scott et al.

53. ... vs. ... Sups. in Error.

David Armstrong, Receiver etc.

The Farmers & Merchants' State Bank et al.

1025. ... vs. ... Appellants.

David Armstrong, Receiver etc.

Oral argument of these cases was commenced by Mr. William Winthrop, of counsel for the plaintiffs in error and appellants, and continued by Mr. J. W. Stevens of counsel for the defendants in error and appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 6th, 1893

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Augustus H. Garland it is ordered that Laura Berkeley Orr, Esquire, of Oakland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mary Ellen Harder & John L. Stoddart Executrix & Executor of John L. Harder, deceased.		Appeal from the Circuit Court of the United States for the Southern District of Georgia.
34	vs. Appellants.	
Benjamin J. Wilson.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

per Mr. Justice Shiras

Charles B. Cook.		Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.
1067	vs. Appellants.	
Colden A. Hart, Sheriff of Dodge County, Wisconsin.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brown.

Martha P. Stokesbury, Charles C. Stokesbury & Edward C. Stokesbury, Executors of Thomas C. Stokesbury. Appeal from the Court of
30. vs. Appellants. Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

Henry Root, Appeal from the Circuit
39 vs. Appellant. Court of the United States
The Third Avenue Rail- for the Southern District
road Company. of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The Southern Pacific Company. vs. Elizabeth C. Denton. In Error to the Circuit Court of the United States for the Western District of Texas.

203

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the

said Circuit Court with directions to render judgment for the defendant upon the demurrer to the petition.

per Mr. Justice Gray.

The Hamilton Gas Light and Coke Company. Appellant. v. The City of Hamilton, Ohio. 32. Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The American Tube and Iron Co. Plff. in Error. v. Owen Evans, Guardian etc. 588. On consideration of the suggestion of a diminution of the record in this cause and motion for a writ of certiorari

It is now here ordered by the Court that the said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Passavant & Company.
1118. vs. Appellants.
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted on condition that the cause be submitted on printed briefs as provided by rules Nos. 32 and 8.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company.
1124. vs. Appellant.
Charles S. Walker et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of January and after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The United States ex rel: Elizabeth Crooks. vs. John Wanamaker, Postmaster General

1332. Off. in Error.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument on the second Monday of December next, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Washington & Georgetown Railroad Company. vs. The District of Columbia et al.

27. Appellants

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would adjourn at the conclusion of business on Wednesday the 23d inst and until Monday the 28th inst and.

Arnold, Constable & Co. — Mr. W. Hallett Phillips
825 — vs. — Appellants. — in behalf of counsel
The United States. — for the appellants submitted to the consideration of the Court a motion to advance this cause.

The Cunard Steamship Co. (Limited) etc — The petition for a writ of certiorari
237 — vs. — Appellant. — herein to the United States Circuit
Cyprien Fabre, Manager, etc. — Court of Appeals for the Second Circuit was submitted to the consideration of the Court on a printed argument by Mr. R. D. Benedict, of counsel for the appellee, in support of the same.

	The Chicago & Northwestern Railway Company.	The petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit were submitted to the consideration of the Court on printed arguments by Mr. B. B. Vorce, of counsel for the defendants in error, in support of the same, and Mr. W. B. Gordy, of counsel for the plaintiff in error, in opposition thereto.
238	vs. Pff. in Error.	
	John Osborne.	
	&	
	The Chicago & Northwestern Railway Company.	
239	vs. Pff. in Error.	
	H. O. Sawyer & P. Y. Culbertson.	

	Levi Scott et al.	The argument of this cause was continued by Mr. J. W. Ferror, of counsel for the defendant in error and appellee, & concluded by Mr. William Worthington of counsel
58.	vs. Plffs. in Error.	
	David Armstrong, Receiver etc.	
	&	
	The Farmers & Merchants State Bank et al.	
1025	vs. Appellants.	
	David Armstrong, Receiver etc.	

for the plaintiffs in error and appellants.

Benjamin F. Butler
vs. Pff. in Error.
Charles C. Conley, Reigner etc.

The argument of this cause was commenced by Mr. Benjamin F. Butler, of counsel for the plaintiffs in error and continued by Mr. George E. Jacobs, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Tuesday, November, 22d, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
Samuel Blatchford. } Associate
Lucius L. C. Lamar. } Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. J. May it is ordered that Frank S. Dillard, Esquire of Sherman, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Harrington it is ordered

that William G. Boyd Esqre of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Benjamin F. Butler. The argument of
30. ... vs. ... Pff. in Error. this cause was
Charles P. Gorley, Assignee etc. continued by Mr.
Charles Levi Woodbury, of counsel for the defendant in error and concluded by Mr. Benjamin F. Butler of counsel for the plaintiff in error

John Fisher & William Lyle, Ordered by the
Executors, & Hester Lyle, sole Court that the
devisee of John Lyle, deceased. name of Hester
574. ... vs. ... Appellants Lyle be changed
Loretta Shropshire et al to that of Esther
Lyle, in the title
of this cause, per stipulation of counsel.

John Fisher, & William Lyle. This cause was
Executors etc., et al. argued by Mr.
574. ... vs. ... Appellants O. H. Mo. Vey,
Loretta Shropshire et al. of counsel for

the appellants and Mr. J. G. Kay, of counsel for the appellee.

55. Henry H. Mc. Mullen. vs. The United States. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. C Lancaster, of counsel for the appellant, and Mr. Assistant Attorney General Colton, of counsel for the appellee.

56. The Illinois Central Railroad Company. vs. The City of Decatur. Plff. in Error. The argument of this cause was commenced by Mr. C. C. Ayer, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 23d 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray
Samuel Blatchford, Associate
Lucius Q. C. Lamar, Justices
David J. Brewer
Henry B. Brown
George Shiras, Jr.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

George S. Dowling, In Error to the Circuit
vs. vs. Petn. in Error. Court of the United States
The National Bank of for the Western District
America, at Chicago. of Michigan

This cause came on to be heard on the transcript of the record and it appearing to the Court that a stipulation of counsel for the respective parties to reverse the judgment of

the said Circuit Court in this cause and to remand the cause with directions to grant the plaintiff in error George B. Downing a new trial, with costs, to be taxed, has been filed. Therefore, in pursuance of said Stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to grant the plaintiff in error, George B. Downing, a new trial, with costs to be taxed.

per Mr. Chief Justice Fuller.

James B. Simms. Appeal from the Su-
vs. Appellant. preme Court of the Ter-
Patrick Scanlon et al. ritory of Arizona.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this

Court that the appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

The Illinois Central Railroad Company. vs. The City of Decatur. Err. to Sup. Ct. Macon

The argument of this cause was continued by Mr. S. G. Trowbridge, of counsel for the plaintiff in error, and Mr. Stephen Trees and Mr. B. F. Mc Neard, of counsel for the defendant in error, and concluded by Mr. S. G. Ayer, of counsel for the plaintiff in error.

The Lake Shore & Michigan Southern Railway Co. vs. Chairman Mr. S. Prentice. 58. Err. to Sup. Ct. Cook

This cause was argued by Mr. Horace S. Strawn, of counsel for the plaintiff in error, and Mr. W. P. Foster, of counsel for the defendant in error.

Cross motions having been made the Court is adjourned until Monday next at twelve o'clock.

Monday. November, 28th. 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel Blatchford. Justices.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Felix Rackemann, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Hunt it is ordered that

Lawrence W. Bunn, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Cole it is ordered that Hugh C. Taggart, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward W. Halliger. — Appeal from the Circuit Court of the
100. — vs. — Appellant. — United States for the
Robert Davis, Jailor of Hudson County, New Jersey. — District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Lippman Opotz and Herman Schwarz.		In Error to the Circuit Court of the United States for the Southern District of New York.
46	vs.	
	Plff. in Error.	
Edward L. Holden, late Collector of the Port of New York.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Annie M. Thompson & John C. Thompson as Executors of the last will and testament of John B. Thompson, deceased.		In Error to the Court of Appeals of the State of New York.
47	vs.	
	Plff. in Error.	
The St. Nicholas National Bank.		

This cause came on to be heard on the transcript of the record from the Court of Appeals

of the State of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Smith, Coulture & Company. On consideration
220 vs. Appellants. of the motion to
The United States. advance this cause,
It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Margaret Billings et al. On consideration
218. vs. Appellants. of the petition for
The Aspen Mining & Smelting a writ of certiorari
Company et al. herein to the United States Circuit Court of Appeals for the Eighth Circuit, and

of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

The Cunard Steamship Co. &c. vs. Appellant
No 87. Cyprian Estes, Manager, &c.

On consideration of the petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel in support of the same It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Henry Gumpel. In Error to the Circuit
No 44 vs. Dft. in Error. Court of the United
Edward L. Hedden, late Col- States for the Southern
lector of the Port of New York District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New

York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

---Order.---

Ordered that Rule 34 of this Court be, and the same is hereby amended so as to read as follows:

Cases brought to this Court by writ of error, or appeal under the act of February 24, 1891, chapter 536, or under section 5 of the act of March 3, 1891, chapter 517, unless the only question to be raised is the question of the jurisdiction of the Court below, will be advanced on motion and heard under the rules prescribed by rule 6, as required to motions to dismiss writs of error and appeals.

per Mr. Chief Justice Fuller.

James C. Foy, Trustee &c. et al. vs. Appellants. The motion to dismiss in this cause was sub-

Adelbert College &c. et al. cause was sub-

mitted to the consideration of the Court on the record and a printed argument by Mr. Horace Stoddy, in support of the same.

1160. New Haven Railroad Co. et al. vs. Pitt. in Error. David J. Earle et al. — The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. W. C. Coplow, Mr. B. Harrison and Mr. J. P. Abney, in support of the same, and on motion of Mr. Burton W. Harrison, of counsel for the plaintiff in error, leave is hereby granted to file a brief in opposition to said motion on or before December 19th, and to counsel for the defendants in error to file a reply thereto if desired.

1246. Chesapeake New Haven et al vs. Pitts. in Error. The Virginia Coal & Iron Company. — The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on printed arguments by Mr. W. B. Prague, Mr.

D. H. Chamberlain and Wm. C. Cleaves, of counsel for the plaintiffs in error, and support of the same; and Wm. A. Dale, Wm. G. Butler, and Wm. A. Ayers of counsel for the defendant in error in opposition thereto.

Henry W. Briggs et al. Trustees &c. vs. Orville Carr Executor &c. of Francis C. Welch, Administrator &c.

200. Writ of Error dismissed for the plaintiff in error, submitted to the consideration of the Court on motion to advance this cause.

In the matter of Elizabeth Bugbee. Petitioner.

On Petition for leave to file petition for a writ of prohibition thereon, submitted to the consideration of the Court on motion for leave to file petition for a writ of prohibition thereon.

The United Lines Telegraph Co., et al. vs. The Boston Safe Deposit & Trust Co.

106. Appellants. Ordered by the Court that the submission of the motion

To incorporate the record in the case of Newcombe et al. vs. The Bankers and Mercantile Telegraph Co. et al. in the transcript of record will be postponed until Monday next

1301 John Brown. ... On motion of Mr. A.H. Garland in behalf of the
vs. Off. on Error plaintiff in error, It is
The United States. ... ordered by the Court
that leave be and the same is hereby granted
the plaintiff in error to prosecute this cause
in forma pauperis and that the transcript of
record be printed at public expense

1302 W.G. Prosser et al. ... It appearing to the
vs. Appellants. ... Court that counsel
The Northern Pacific R.R. Co ... on the appellee declines to accept the
condition prescribed by the order advancing
this cause and assigning the cause for re-
argument on the second Monday of January
next, It is now here ordered by the Court that
said order be and the same is hereby revoked
and set aside.

Levi Autony. On motion of Mr. C. O.
611 vs. Error to Circ Court Caldwell, of counsel for
Van Buren Circt the plaintiff in error,
It is ordered by the Court
that the cause be, and the same is hereby,
passed to the docket at the foot of the calls
for December, 1876.

The State of Iowa. This cause came
5. Original—Motion—Complainant. subsequent to the
The State of Illinois consideration of
the Court on the
sworn and printed arguments by Mr. Lyon G.
Stone and Mr. James B. Kaine, of counsel for the
complainant, and Mr. Elbridge Hall, of counsel
for the defendant.

Lewis P. Shoemaker et al., On motion of
Executors etc. Mr. C. O. Caldwell
197. vs. Error to Error. of counsel for
The United States on the petition the plaintiffs
of The Commission to select land in error, a mo-
for the Rock Creek Circt tion for the dismi-
ssal of the writ
herein are allowed one hour additional time

on the argument of this cause.

Louis P. Shoumaker et al.,
Executors, etc.
vs. Pltffs. in Error.
1197.
On Motion of the Commission to select the land for the Rock Creek Park.

The argument of this cause was commenced by Mr. P. Shoumaker of counsel for the plaintiffs in error, and continued by Mr. McGowan Berry, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, November 27th, 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
Samuel Blatchford
David J. Brewer
Henry B. Brown
George Shiras, Jr.
John M. Thurston, Esquire, Attorney General
James H. McKenney, Clerk

Proclamation being made the Court is opened

Ex parte: In the matter of William Douglass Cross.. Petitioner.

Mr. Charles Mason Smith, of counsel, by leave of the Court, filed and submitted to the consideration of the Court a petition for writs of habeas corpus and certiorari herein, and leave was granted to proceed in forma pauperis.

Louis P. Shoemaker et al., Executors etc., et al.
vs. Appellants.
The United States on the petition of the Commission to select the land for the Rock Creek Park.

No. 197

The argument of this cause was continued by Mr. R. Ross Perry and Mr. B. B. Roth, of counsel for the defendant in error, and concluded by Mr. J. M. Wilson, of counsel for the plaintiffs in error.

Harlan P. Lloyd, Trustee etc.
vs. Appellant.
Emma C. Preston, Executrix etc.

No. 59

The argument of this cause was commenced by Mr. H. P. Lloyd, of counsel for the appellant.

Good cause being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday November 30th 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice

Stephen J. Field

John M. Harlan

Horace Gray.

Samuel Blatchford.

David J. Brewer.

Henry B. Brown.

George Shiras Jr.

John W. Wright, Esquire Marshal

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion: In the matter of William Douglas Cross Petitioner. On motion of Mr. Joseph Hutton leave of counsel for the petitioner leave is hereby granted counsel to submit a printed brief in support of the petition.

10 Original.

James Thompson.		In Error to the Circuit Court
135.	vs.	of the United States for the
W. H. Carlisle et al.	In Error.	Northern District of Texas

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore in pursuance of the 10th rule of the Court, now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The City of Richmond & Enoch		Appeal from the
W. Cunningham, City Collector.		Circuit Court of
144	vs.	the United States
The First National Bank of	Appellants.	for the Eastern
Richmond.		District of Virginia.

It appearing to the Court that an authority of counsel for the appellants to dismiss this cause has been filed: Therefore in pursuance of said authority, It is now here ordered, adjudged and decreed by the Court that the

appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

808. Alexander McCune. vs. Michael Coleman et al. Commissioners etc. Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

809. John W. Crossey. vs. Michael Coleman et al. Commissioners etc. Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss

the cause has been filed. Therefore in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Benjamin C. Cleary, Appellant
510 vs. Appeal from the Circuit Court of the United States
Edward Coleman et al., Commissioners etc. for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss the cause has been filed. Therefore in pursuance of said stipulation It is now here ordered, adjudged and decreed by the Court that the appeal be & the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Edward W. Hallinger Ordered by the Court
1100 vs. Appellant. that the Clerk issue
Robert Maire, Jailor etc. the mandate in this cause at once.

Harban P. Lloyd, Trustee etc.
59. vs. Appellant.
Emma C. Preston, Executrix etc.

The argument of this cause was continued by Mr. [illegible] of counsel for the appellee and concluded by Mr. H.P. Lloyd, of counsel for the appellant.

John B. Alexandre et al.,
Executors, etc., et al.
61. vs. Appellants.
John Maclean et al.

The argument of this cause was commenced by Mr. P.D. Beudict, of counsel for the appellants, and continued by Mr. George A. Black, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

75. Edward L. Smith vs. Judson L. Thomson & John Hunter. Appellant

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance

ce of the 10th rule of this Court were here opened, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

for the Chief Justice Fuller.

John B. Alexander et al. Executors etc. et al. vs. Appellants. John Maclean et al.

The argument of this cause was continued by Mr. Horace P. Dinkey of counsel for the appellees and concluded by Mr. A. G. Brandt, of counsel for the appellants.

The Gunnison Mining Co. vs. Appellee in Error. The Gunnison Last Chance Consolidated Mining Co. et al.

The cause was argued by Mr. Albert Hagan and Mr. S. S. Burdett of counsel for the plaintiff in error, and submitted on a printed argument by Mr. W. B. Hayburn of counsel for the defendants in error.

La Compañia Bilbaina de Navegacion, de Bilbao. vs. The Spanish-American Light and Power Co. Consolidated

66 Appellant:

The argument of this cause was commenced by Mr. James Parker of counsel for the appellant, and continued by Mr. George W. Wingate of counsel for the appellee

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, December 2d, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field,
John M. Harlan,
Horace Gray,
Samuel Blatchford,
David J. Brewer,
Henry B. Brown,
George Shiras, Jr.,
John K. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The United States,
vs. Appellants,
The "Old Settler" etc. et al
and
The Old Settlers' etc. et al
vs. Appellants.
The United States.

1031.

1033.

Mr. Solicitor General Richards, of counsel for the United States moved the Court to re-instate these cases for argument on the motion which was opposed by Mr. Reese H. Voorhees, of counsel for the "Old Settlers"

Whereupon It is ordered by the Court that this cause do and they are hereby continued for argument on Monday, the 5th inst. at the head of the call for that day.

Charles W. Shively. } This cause was submitted to the consideration
1825 vs. } Writ in Error of the Court pursuant
Edward D. Worley et al. } to the 20th rule, on the
record and printed arguments by Mr. A.H. Garland and Mr. Sidney Bell of counsel for the plaintiff in error and Mr. S.U. Sharpe of counsel for the defendants in error

La Compañia Euskara de } The argument of
Navegacion, de Bilbao. } this cause was
66 vs. } Appellant. concluded by Mr.
The Franklin American Life } James Parker of
and Power Co., Consolidated. } counsel for the
appellant.

B.G. Means & Son. } This cause was submit
63. vs. } Writ in Error. ted to the consideration
The Bank of Maryland. } of the Court on the re
cord and printed ar-

argument by Mr. B.C. Hoppins of counsel for the plaintiffs in error and Mr. B.A. Hill and Mr. Charles Blood Smith of counsel for the defendant in error.

The National Tube Works Company.
70. vs. Appellant.
George William Batton.

This cause was argued by Mr. W. A. Curtis, of counsel for the appellant and Mr. Bowen Clarke of counsel for the appellee.

Knox County in the State of Missouri.
78. vs. Defs. in Error.
The Union National Bank of the City of New York.

The argument of this cause was commenced by Mr. B.R. Dysart, of counsel for the plaintiffs in error and continued by Mr. John G. Henderson of counsel for the defendant in error.

Upon motion leave is made the Court is adjourned until Monday next at twelve o'clock.

Monday. December, 5th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray.
Samuel Blatchford. Associate
Lucius L. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that Daniel P. Decker, Esquire, of New York City, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this be-

way by Mr. B. R. Lyon it is ordered that D. H. Stroud, Esquire of Sullivan State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Harrow it is ordered that C. A. Angell, Esquire, of Cleveland, State of Ohio be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Harlington it is ordered that R. B. Hamilton, Esquire, of Rome State of Georgia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Alexander Lewis. In Error to the Circuit Court
1018. vs. Ejt. in Error. of the United States for the
The United States. Western District of Arkansas.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Shiras.

Dissenting.

Mr. Justice Brewer &
Mr. Justice Brown.

The United States.

51. vs. Appellants.

Charles Allen Cunningham et al

&

Charles Allen Cunningham et al

52. vs. Appellants.

The United States.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on

appeal and cross-appeal and were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition.

per Mr. Justice Brewer.

B. D. Benson (impleaded with Mary Rautzahn).	In Error to the Circuit Court of the United
1007 vs.	Plff. in Error. States for the District
The United States.	of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Justice Brewer.

Benjamin F. Butler. — In Error to the Su-
30. vs. — Pff. in Error. — perior Court of the
Charles P. Gorley, Assignee — State of Massachu-
of Isaac H. Taylor. — setts.

This cause came on to be heard on the transcript of the record from the Superior Court of the State of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that such judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Bradley.

Henry H. Mc. Mullen. — Appeal from the
56. vs. — Appellant. — Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and ad-

judged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Robert A. Bullock

21. vs. Appeal from the
Franklin H. Hooper, Executor of Supreme Court
William R. Hooper, deceased, and of the District
The Massachusetts Mutual Life of Columbia.
Insurance Company.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The Illinois Central Railroad Company, Appellant.

419. vs.

The People of the State of Illinois, and The City of Chicago.

The City of Chicago, Appellant.

608. vs.

The Illinois Central Railroad Company, et al.

And

The People of the State of Illinois, Appellants.

609. vs.

The Illinois Central Railroad Company & The City of Chicago

Appeals from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois on separate appeals, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the State of Illinois is the owner in fee of the submerged lands constituting the bed of Lake Michigan which the third section of the act of April 16, 1869, purported to grant to the Illinois Central Railroad Company, and that the act of April 16, 1873, repealing the same is valid and effective for the purpose of restoring to the State the same con-

title, dominion and ownership of said lands that it had prior to the passage of the said act of April 16, 1869.

But the decree below, as it respects the piers commenced in 1878, and the piers constructed in 1880 and 1881, marked 1, 2 and 3, near Chicago River, and the piers and docks between and in front of Twelfth and Fourteenth Streets, is modified so as to direct the Court below to order such investigations to be made as may enable it to determine whether those piers erected by the company by virtue of its riparian proprietorship of lots formerly constituting part of section Ten extend into the lake beyond the point of practical navigability having reference to the manner in which commerce in vessels is conducted on the lake: and if it be determined upon such investigations that said piers, or any of them do not extend beyond such point, then that the title and possession of the railroad company to such piers shall be affirmed by the Court; but if it be ascertained and determined that such piers, or any of them, do extend beyond such navigable point, then the said Court shall direct the said pier or piers to the ex-

case ascertained, to be abated and removed or that other proceedings relating thereto be taken on the application of the State as may be authorized by law; and also to order that such further proceedings be taken to ascertain and determine whether or not the pier and dock, constructed by the railroad company in front of the shore between Twelfth and Sixteenth Streets extend beyond the point of navigability, and to affirm the title and possession of the company if they do not extend beyond such point, and, if they do extend beyond such point, to order the abatement and removal of the excess or that other proceedings relating thereto be taken on application of the State as may be authorized by law. Except as modified in the particulars mentioned, the decree in each of the three cases on appeal must be affirmed with costs against the railroad company.

per Mr. Justice Field.

Dissenting:

Mr. Justice Lucas.
Mr. Justice Gray.
Mr. Justice Brown.

(The Chief Justice having been of counsel

in the Court below, and Mr. Justice Blatchford, being a stockholder in the Union Central Railroad Company, did not take any part in the consideration or decision of these cases.

The Chicago & Northwestern Railway Company.
1238. vs. Pet. in Error.
John Osborne.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by this Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Chicago & Northwestern Railway Company.
1239. vs. Pet. in Error.
H. A. Junod & R. Y. Culbertson.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now

hire ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

James R. Joy, Trustee &c. Solon Humphreys and David A. Lud-ley, Trustees. — Appeal from the Circuit Court of the United States for the Northern District of Ohio

1014. vs. — Appellants.

The Adelbert College of the Western Reserve University et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on a motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Henry W. Blagge et al., Admrs. &c. — On consider-

1200. vs. — Pffs. in Error. — ation of the

Francis C. Bald, Administrator &c. — motion to

advance this cause. It is now here ordered by the Court that said motion be and the same is hereby, denied.

per Mr. Chief Justice Fuller

Chesapeake Lime Company et al v. Pipe. in Error. Our consideration
1246. Pipe. in Error. of the petition for
The Virginia Coal & Iron Co. a writ of certio-
rari hereto to the
United States Circuit Court of Appeals for the Fourth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Our consideration of the
Elizabeth Eagle. motion for leave to
Petitioner. file a petition for a
writ of prohibition here-
in, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller

W. G. Brown et al.
vs
The Northern Pacific Railroad Company.
Appellants

It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

No. 202

Louis Mette & George Krause, copartners as Mette & Krause.
vs
Daniel L. Mc Guckin
Plff. in Error

In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

(Mr. Justice Brewer took no part in the consideration of this cause).

Ex parte: In the matter of William Douglas Pruce. } On petition for writ
10 Original. Petitioner. } of habeas corpus
and ecclusit.

On consideration of the petition for writ of habeas corpus and ecclusit herein and of the argument of counsel in support of the same. It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The Wilmington & Weldon Railroad Company, } In Error to the
1074. vs. } Supreme Court
Plaintiff in Error. } of the State of
S. I. Alsbrook, Sheriff of Halifax County, North Carolina. } North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Chief Justice announced that the Court would adjourn at the conclusion of business on Thursday, the 22d inst and until Tuesday, January 3d, 1893.

John Cameron. vs. The United States. — Appellant. — On motion of Mr. Solicitor General Aldrich of counsel for the appellee leave is hereby granted to file a certified copy of the decree of the Supreme Court of the Territory of Arizona, in this cause.

No. 260. Josephine C. Waldrow. vs. Mary A. Waldrow. — Plff. in Error. — Mr. B. K. Aldrich of counsel for the defendant in error, submitted to the consideration of the Court a motion to require the plaintiff in error to give a new bond for the prosecution of the writ of error in this cause or to vacate the supersedeas herein.

No. 247. Edward H. Horner. vs. The United States. — Plff. in Error. — Mr. Assistant Attorney General Maury of counsel for the defendant in error, submitted to the

consideration of the Court a motion to advance this cause.

The State of Virginia.
3. Original. vs. Complainant
The State of Tennessee.

On motion of Mr. William A. Maury, on behalf of counsel, it is now here ordered by the Court that this cause be, and the same is hereby assigned for argument on March 7th 1894, at the head of the docket.

The New Chester Water Company et al.
1253. vs. Appellants.
The Holly Manufacturing Co. et al.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Richard C. Dale and Mr. Samuel Dickson, of counsel for the appellants in support of the same, and Mr. R. L. Ashhurst, of counsel for the appellee in opposition thereto.

The United Lines Telegraph Co. et al.
106. vs. Appellants.
The Boston Safe Deposit & Trust Co.

The motion to incorporate the record in

the case of Newcomb et al. vs. The Bankers and Merchants Telegraph Co., et al. in the transcript of the record herein was submitted to the consideration of the Court on printed arguments by Mr. Robert G. Ingersoll in support of the same, and Mr. William L. Wilson, in opposition thereto.

Joseph Blackburn, Samuel Matthews & E. A. Hunnay. vs. Arthur R. Osborne. 672. Plffs. in Error. In Error to the Supreme Court of the State of Wisconsin

This cause having been called to the attention of the Court by Mr. A. B. Browne, of counsel for the defendant in error and a stipulation of counsel to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Joseph Blackburn et al. vs. Arthur R. Osborne. 672. Plffs. in Error. On motion of Mr. A. B. Browne, of counsel for the defendant in

error leave is hereby granted the Clerk to issue the mandate in this cause.

Herman Boyer. Appeal from the Circuit Court
83 vs. Appellant. of the United States for the
William Cooper & Co. District of Massachusetts.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Knox County, in the State of Missouri.
78. vs. In Error.
The Ninth National Bank of the City of New York

The argument of this cause was concluded by Mr. C.P. Dysart, of counsel for the plaintiff in error.

J. H. & W. B. Cooke.
75. vs. Sup. in Error.
W. W. Avery

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. L. Crawford, of counsel for the plaintiffs in error and Mr. John W. Avery, of counsel for the defendant in error.

The Commercial National Bank of Pennsylvania.
76. vs. Appellant
David Armstrong, Receiver &c.
and
David Armstrong, Receiver &c.
77. vs. Appellant
The Commercial National Bank of Pennsylvania.

The argument of these cases was commenced by Mr. George Woodly, Jr., of counsel for the Commercial National Bank, and continued by Mr. John W. Herron, of counsel for Armstrong, Receiver &c.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December 7th. 1880

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal
Jame A. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Lansing it is ordered that Watson W. Rogers Esquire of Watertown State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is ordered that

George H. Knight Esq. Esquire, of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

86. Charles P. Bruce et al vs. John Drew et al. Appellants. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

76. The Commercial National Bank of Pennsylvania vs. David Armstrong, Receiver etc. Appellants. The argument of these cases was continued by Mr. John W Herron of counsel for Arm-

Ord

Tuesday, December 7th, 1875. Continued.

David Armstrong, Executor etc. vs. The Commercial National Bank of Cincinnati

Argument resumed and concluded by Mr. Scarr for the Commercial National Bank.

John Mitchell, Admr. etc. vs. The New York, Lake Erie and Western Railroad Co.

Sff. in Error.

The argument of the cause was commenced by Mr. H. H. Hyde of counsel for the plaintiff in Error.

The Court declined to hear further argument.

John G. Lytle vs. The Town of Lansing.

Appellant.

The argument of this cause was commenced by Mr. G. G. Hearman of counsel for the appellant and continued by Mr. H. V. Howland of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday. December, 7th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Israel Cowen Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr George F. West it is ordered that Warwick Hough, Esquire, of St. Louis, State of

Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. William W. Springer it is ordered that Robert E. DeForest, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

George W. Brown, William H. Brown, Thomas B. Brown and Harrington Brown. vs. George W. Beale and Elizabeth B. Beale. — In Error to the Supreme Court of the District of Columbia

90. Pepp. in Error.

This cause having come on for hearing in its regular order, and a stipulation of counsel for the respective parties to affirm the judgment of the Supreme Court of the District of Columbia in this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court this

the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Malcolm Macdonald. Appeal from the Circuit Court
88. v. Appellant. of the United States for the South-
William Mc.Lean. ern District of California.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Geo. T. Lytle. The argument of this
77. v. Appellant. cause was commenced
The Town of Lansing. by Mr. A. V. Howard, of
counsel for the appellee,
and concluded by Mr. Brown T. Sherman,
of counsel for the appellant.

Eugenius A. Capt. Executrix &c. Appellant.
80. vs.
The United States.

This cause was argued by Mr. R. B. Lines of counsel for the appellant, and Mr. Attorney General Miller of counsel for the appellee.

John C. Streeter
81. vs. Pff. in Error.
The Jefferson County National Bank.
defendant in error.

This cause was argued by Mr. Watson W. Rogers of counsel for the plaintiff in error, and Mr. John Lansing, of counsel for the

Herman Royer
82. vs. Appellant.
William Corpe & Co.

The argument of this cause was commenced by Mr. W. A. Wheaton of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, December, 8th, 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
Lucius Q. C. Lamar. Justices
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Hoban it is ordered that Levi L. Barbour, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Dolores G. Astiazaraw et al.
43 vs. Appellants.
The Santa Rita Land & Mining Company et al.

On motion of Mr. A. B. Browne of counsel for the appellee, It is ordered by the Court that the order of continuance entered herein on the 15th of November be, and the same is hereby, vacated and set aside.

Dolores G. Astiazaraw et al.
43. vs. Appellants.
The Santa Rita Land & Mining Company et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Rochester Ford, of counsel for the appellants and Mr. A. G. Brotherton and Mr. A. B. Browne, of counsel for the appellee.

The Lincoln Rapid Transit Company.
127. vs. Pff. in Error.
William H. Rundel.

In Error to the Supreme Court of the State of Nebraska.

It appearing to the Court that a stipulation of counsel for the respective parties to this cause

this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Emma J. Clark et al. vs. Martha A. Miller — Appeal from the Circuit Court of the United States for the District of Connecticut.

516.

It appearing to the Court that an authority of counsel for the appellants to dismiss this cause was been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

Herman Sauer. vs. William Cope & Co. — The argument of this cause was continued by Mr. W. A. Wheaton, of counsel for the appellant, and Mr. W. H. Thurston of counsel for the appellee, and concluded by Mr. W. A. Wheaton

52.

ow, of counsel for the appellant.

Elisab W. Metcalf.
84. vs. Eff. in Error.
The City of Watertown.

The argument of this cause was commenced by Mr. C.B. Monroe, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford — Associate
David J. Brewer — Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. G. A. Jenks it is ordered that C. Frank Snyder, Esquire, of Clearfield State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John N. Cowen it is ordered that Harper J. Cunningham, Esquire, of California Territory

of Oklahoma, be admitted to practice as an attorney and counsellor of the Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B.C. White it is ordered that Sanford Duverlie Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Shields it is ordered that W.C. Marshall and Clemens Smith, Esquires, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.K. Davis it is ordered that Henry S. Fiertsen, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Monroe Cattle Co.
87 vs. Appellants
A. W. Becker.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. K. Hadley and Mr. H. C. Way of counsel for the appellants and Mr. W. D. Williams, of counsel for the appellee

Elias W. Mitchell.
84. vs. Pff. in Error.
The City of Watertown.

The argument of this cause was continued by Mr. C. B. Monroe, of counsel for the plaintiff in error, and Mr. George W. Burch and Mr. Daniel Hall, of counsel for the defendants in error and concluded by Mr. F. A. Fenks, of counsel for the plaintiff in error.

W. H. Brinkerhoff et al.,
Executors etc.
85 vs. Appellants
Albert L. Rice.

This cause was argued by Mr. J. C. Smith, of counsel for the appellants and Mr. George H. Knight, of counsel for the appellee.

The Baltimore & Ohio Railroad Co.

89. vs. Err in Error

John Baugh

The argument of this cause was commenced by Mr. John S. Bowen of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, December, 12th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray.
Samuel Blatchford — Associate
David J. Brewer. — Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation was made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Charles L. Buckingham, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Lowell it is ordered that William D. Colburn, Esquire, of Boston, State of Massa-

achusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. W. W. Young it is ordered that P. R. Pitcraft, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Morris it is ordered that C. W. Hughes, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Henry W. Potts, as Assignee of		In Error to the Circuit
The Chester Pulley & Iron Company		Court of the United
41.	vs.	States for the Eastern
William H. Wallace.	Deft. in Error.	District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial, and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Strong.

Alexander Derby, Arthur C. Derby, George Hodgman and George W. Crane. Appeal from the Circuit Court of the United States for the District for Massachusetts.

40. v. Appellants.

David L. Thompson, Charles A. Perley & Elisha Ware.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, ad-

adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Strong.

The United States
vs.
The Cotton Thumb Screw Company, C. C. Rogers, Architect, and W. S. Wilson

Writ from the Circuit Court of the United States for the Southern District of California.

362

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby remanded to the said Circuit Court with

directions to enter a decree in favor of the plaintiff for the relief sought.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Field &
Mr. Justice Gray.

The United States. | Appeal from the Circuit
vs. | Court of the United States
The Southern Pacific Rail- | for the Southern Dis-
road Company et al. | trict of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a decree in favor of the plaintiff for the relief sought.

per Mr. Justice Brewer.

Dissenting: Mr. Justice Field &

The United States,
vs. Appellant
The Southern Pacific Railroad
Company, A. N. Towne, and
Garret L. Lansing, Trustees, &
Joseph C. Youngblood.

Appeal from the
Circuit Court of
the United States
for the Southern
District of Cal-
ifornia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the plaintiff for the relief sought.

Per Mr. Justice Brewer.

Dissenting:

Mr. Justice Field &
Mr. Justice Gray.

Monday December 12th 1898 Continued

The United States.

923 vs. Appellant

The Southern Pacific Railroad Company, D. O. Mills, & Garret L. Lansing, Trustees, The City Brick Company, Thomas Vice, Edward Summons & Albert A. Hubbard.

Appeal from the Circuit Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and was argued by counsel On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in favor of the plaintiff for the relief sought.

Per Mr Justice Brewer.

Dissenting:

Mr. Justice Field &

Mr. Justice Gray.

La Compagnie Générale de Transatlantique &c. — Appeal from the
vs. — Circuit Court of the
The Spanish-American Iron — United States for
Co. & Seven Companies consolidated. — the Southern District of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and with interest.

per Mr. Justice Blatchford.

33. Collis P. Huntington. — In Error to the Court
vs. — of Appeals of the State
Elizabeth C. Cottrill. — of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now

here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Gray.

Dissenting:

Mr. Chief Justice Fuller.

(Mr. Justice Lamar and Mr. Justice Shiras not having heard the argument, took no part in the decision of this case).

106. The United Lines Telegraph Company et al. vs. Appellants. The Boston Safe Deposit & Trust Co.

On consideration of the motion to incorporate the record in the case of Newcomb et al., vs. The Bankers and Merchants Telegraph Company et al. in the Transcript of the record in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said

motion by Mr. the same is hereby denied
per Mr. Chief Justice Fuller.

Josephine C. Waldron
vs. Sff. in Error.
Mary A. Waldron.

660 On consideration of the motion to require the plaintiff in error to give a new bond for the prosecution of the writ of error, or to vacate the supersedeas herein; It is now here ordered by the Court that the plaintiff in error be required to file a new supersedeas bond in this cause within thirty days, to be approved by one of the Judges of the Circuit Court of the United States for the Northern District of Illinois
per Mr. Chief Justice Fuller.

Edward F. Hoxie.
vs. Sff. in Error.
The United States.

1247. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.
per Mr. Chief Justice Fuller.

The New Chester Water Company et al. ... Appellants
1255 vs.
The Holly Manufacturing Co. et al

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

John Mitchell, as Administrator etc., of Laurence Mitchell, deceased ... Plff. in Error.
71 vs.
The New York, Lake Erie & Western Railroad Company.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

ment of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Milford H. Brinkerhoff and Willis C. Brinkerhoff, Executors of Alexander W. Brinkerhoff, dec'd.		Appeal from the Circuit Court of the United States for the
85.	vs. Appellants.	Eastern District
Albert S. Alce.		of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs per Mr. Chief Justice Fuller.

Lewis Scott vs The Farmers' and Merchants' State Bank.		In Error to the Circuit Court of the
53.	vs. Pffs. in Error.	United States for the
David Armstrong, Receiver of the Fidelity National Bank of Cincinnati, Ohio.		Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

The Farmers' & Merchants' State Bank & Levi Scott.

1325. vs. Appellants.

David Armstrong, as Receiver of The Fidelity National Bank of Cincinnati, Ohio.

On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is

the opinion of this Court that the first question certified must be answered in the affirmative and the second in the negative, and that the other questions propounded require no reply.

Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Chief Justice Fuller.

918. The United States, Appellant, vs. Bird L. Fletcher, and
919. Bird L. Fletcher, Appellant, vs. The United States.

These cases were submitted to the consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. Assistant Attorney General Parker, of counsel for The United States, and Mr. George A. King, of counsel for Bird L. Fletcher.

663. Josephine P. Waldrow. vs. Mary A. Waldrow. Pff. in Error.

Mr. Charles H. Aldrich, in behalf of counsel for the plaintiff in error, presented a new supersedeas bond in this cause which was ordered to be filed.

Joseph Otero.
186 of O.T. 1897 vs. Appellant
Sarah Scalf et al., Executors etc.

Mr. Thos. A. Hing, of counsel for the appellee, submitted to the consid-

eration of the Court a motion that the Clerk of this Court be directed to return to the Circuit Court of the United States for the Eastern District of Louisiana certain original books and papers sent up with the transcript of the record herein. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby granted.

The Central Land Company of West Virginia.
846. vs. Plff. in Error.
John B. Laidley.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. John B. Laidley in support of the same, and leave was granted Mr. J. H. Ferguson, to file an affidavit in opposition thereto.

1024 The Cincinnati, Hamilton & Dayton Railroad Co. vs. William R. Mc. Keen. Appellant.

Mr. Lawrence Maxwell Jr. of counsel for the appellant submitted to the consideration of the Court a motion that the transcript of the record in this cause sent up by the United States Circuit Court of Appeals for the Seventh Circuit be received, and that the whole record and cause may be ordered to be retained in this Court for its consideration and also that the cause be advanced.

1085 John Sutliff. vs. Pff. in Error. The Board of County Commissioners of the County of Lake, Colorado.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. C. Mc Cune, of counsel for the plaintiff in error, and Mr. H. B. Johnson, of counsel for the defendant in error.

1123 John L. Brown, Assignee &c. vs. Plff. in Error. The Marion National Bank. This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. T. L. Burnett & Mr. H. W. Lane, of counsel for the plaintiff in error, and Mr. W. J. Lisle, of counsel for the defendant in error.

87 The Baltimore & Ohio R.R. Co. vs. Plff. in Error. John Baugh. The argument of this cause was concluded by Mr. John K. Cowen, of counsel for the plaintiff in error, and the cause was submitted on a printed argument by Mr. L. Daugherty, of counsel for the defendant in error.

91 Joseph B. Ankeney et al. vs. Appellants Dana M. Hannon et al. This cause was argued by Mr. Lawrence Maxwell Jr., of counsel for the appellees, and submitted on a printed argument by Mr. A. B. Cummins, of counsel for the appellants.

Ex parte: In the matter of Henry Morrison.

8. Original. Petitioner.

Ex parte: In the matter of Henry Morrison.

9. Original. Petitioner.

The argument of these cases was commenced by Mr. Samuel B. Clarke, of counsel for the petitioner.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, December 13th, 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. L. B. Payson it is ordered that Charles Stewart, Esquire, of Houston, L. W. B. Lanham, Esquire, of Weatherford, and E. L. Antony, Esquire of Cameron, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. F. H. Hilborn it is ordered that

C. W. Cross, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of Henry Morrison.
8. Original.——Petitioner.

Ex parte: In the matter of Henry Morrison.
9. Original.——Petitioner.

The argument of these cases was continued by Mr. R. D. Benedict, of counsel for the respondent in No. 8. Original; and Mr. John Lowell, of counsel for the respondent in No. 9. Original, and concluded by Mr. Elihu Root, of counsel for the petitioner.

1031. The United States, Appellant vs. The "Old Settlers" &c, et al.
1032 The "Old Settlers" &c, et al. Appellants, vs. The United States.

On motion of Mr. A. H. Garland, of counsel for the "Old Settlers" &c, counsel on each side are allowed one hour additional for the argument of these cases.

1031. The United States, Appellant, vs. The "Old Settlers" &c. et al.
1032. The "Old Settlers" etc., et al. Appellants, vs. The United States.

The argument of these cases was commenced by Mr. Reese H. Voorhees, of counsel for the "Old Settlers" etc., et. al.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December 14th. 1892

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Albuquerque National Bank.
vs. Appellant.
Jose L. Perea, Sheriff, etc. . . .

710. This cause was submitted to the consideration of the Court pursuant to the 20th rule on the record and printed arguments by Mr. W.B. Childers, of counsel for the appellant and Mr. E.L. Bartlett of counsel for the appellee.

Sidney Lascelles
1262 vs. Eff. in Error
The State of Georgia

Mr. W. G. Morris, on behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

1081 The United States, Appellants, vs. The "Old Settlers" etc. et al
1082 The "Old Settlers" etc., et al. Appellants, vs. The United States.

The argument of these cases was continued by Mr. Reese H. Voorhees, of counsel for The "Old Settlers", etc., et al. and Mr. U. S. Dawes and Mr. Solicitor General Aldrich, of counsel for The United States and concluded by Mr. A. H. Garland, of counsel for The "Old Settlers", etc., et al.

Sarah G. Miles
92 vs. Eff. in Error
The Connecticut Mutual Life Insurance Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. C. White, of counsel for the plaintiff in error, and Mr. Irwin Hanson, of counsel for the defendant in error.

W. B. Holmes et al
93. vs. Plffs. in Error.
L. Goldsmith and Co.

The argument of the cause was commenced by Mr. J. H. Mitchell of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, December, 15th, 1892.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. John F. Dillon it is ordered that Henry T. Rogers, Hugo Hirsh and Thomas G. Maguire, Esquires, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this day by Mr. John H. Mitchell it is ordered that

George B. Brownell, Esquire of Oregon City, State of Oregon, to admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John B. Allen it is ordered that Frederick A. Brown, Esquire, of Tacoma, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Barnes it is ordered that J. F. Mc. Lee, Esquire, of Minneapolis State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Norman Grass.
103. vs. Pff. in Error.
The State of North Dakota
ex rel: Lewis W. Stocker.

This cause was submitted to the Court upon motion of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. J. F. Mc.

Gen. of counsel for the plaintiff in error and Mr. C. N. O'Brien, of counsel for the defendant in error.

W. B. Holmes et al. vs. Pltfs. in Error. L. Goldsmith and Co.

99. The argument of the cause was continued by Mr. J. H. Mitchell, of counsel for the plaintiffs in error, and Mr. L. B. Cox, of counsel for the defendants in error, and concluded by Mr. J. H. Mitchell, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday, December, 11th 1896.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Horace Gray,
Samuel Blatchford, Associate
David J. Brewer, Justices
Henry B. Brown,
George Shiras, Jr.

John W. Wright, Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry M. Teller it is ordered that T. B. Catron, Esquire, of Santa Fé, Territory of New Mexico, and Owen B. de Lacy, Esquire, of Denver, State of Colorado be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

657 The City of St. Louis vs. Pltf. in Error
The King Iron Bridge and Manufacturing Company.
In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause having been called to the attention of the Court by Mr. W. C. Marshall, of counsel for the plaintiff in error, and he having filed an authority to dismiss this cause. Therefore, in pursuance of said authority. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

94 The City of St. Louis vs. Pltf. in Error
The Western Union Telegraph Co.
This cause was argued by Mr. W. C. Marshall, of counsel for the plaintiff in error, and Mr. John F. Dillon and Mr. Clemens Smith, of counsel for the defendant in error.

D. M. Osborne & Company.

95. ... vs. ... Appellant.

The Missouri Pacific Railway Company.

The argument of this Cause was commenced by Mr. P. R. Fitzpatrick & counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday, December 9th, 1895.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Solicitor General Aldrich it is ordered that Joseph H. Defrees Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. T. P. Wolverton it is ordered that William L. Crawford, Esquire of Dallas State

of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Harlan P. Lloyd, Trustee of Edward L. Harper et al. vs. Emma C. Preston, Executrix of Josiah W. Preston, deceased et al

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Strong.

(The Chief Justice, not having heard the argument did not take part in the decision of this case).

John Cameron.		Appeal from the Su-
12.	vs. Appellant	preme Court of the
The United States.		Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Justice Brown.

George J. McCourtney, Trustee.		Appeal from the Circuit
35.	vs. Appellants.	Court of the United
The Toledo & Ohio Central Rail-		States for the Northern
way Company et al.		District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

Ct and the same is hereby affirmed with costs.
It is further ordered that this decree be entered nunc pro tunc as of November 26, 1894.

per Mr Justice Brown

Dissenting:

Mr. Chief Justice Fuller

Mr. Justice Brown

C. F. Mears, W. W. Mears and C. H. Mears, partners doing business as C. F. Mears & Son

v.

The Bank of Randall.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kansas

Herman Royer. ..... Appeal from the
82 vs. Appellant. Circuit Court of
William Boyce & Orrin A. the United States
Burgess, copartners under the for the District
name and style of William of Massachusetts.
Boyce and Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The National Gas Works Appeal from the Circuit
Company. Court of the United States
73 vs. Appellant. for the Southern Dis-
George William Barlow. trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of

New York, and now argued by counsel. Upon consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The Central Land Company of West Virginia vs. Pff. in Error. John B. Laidley.

No. 1023.

It is ordered by this Court that the further consideration of the motion to dismiss herein be, and the same is hereby, postponed to the hearing on the merits.

per Mr. Chief Justice Fuller.

The Cincinnati, Hamilton & Dayton Railroad Co. vs. Pff. in Error. William R. Mc. Keen.

No. 1024.

On consideration of the motion for an order that the transcript of the record in this cause sent up by the United States Circuit Court of Appeals for the Seventh Circuit be rescinded, and that the whole record and the cause be retained in this Court for its consideration,

and to advance the cause, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

It is further ordered that counsel be allowed to submit briefs upon the question whether the certificate in the cause is valid, and if so, whether it is sufficient under the act creating the Circuit Court of Appeals to be proceeded upon by this Court.

per Mr. Chief Justice Fuller.

Sidney Lucellis. vs. Plff. in Error. The State of Georgia.

1262

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of March next.

per Mr. Chief Justice Fuller.

The Hennessy Mining Company. vs. Plff. in Error. The Emma & Last Chance Consolidated Mining Co., et al.

62.

In Error to the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged, by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho.

John L. Brown, as Assignee of Lafayette B. B. Baxter. vs. The Marion National Bank of Lebanon, Kentucky.

1123. Pff. in Error.

In Error to the Court of Appeals of the State of Kentucky

This cause came on to be heard on the Transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

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9

Henry L. Yesler. In Error to the Su-
vs. preme Court of the
The Board of Harbor Line State of Washington.
Commissioners, et al.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

---Order---

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such cases made and provided, and that such allotment be entered of record, viz:

For the First Circuit Horace Gray, Associate Justice
For the Second Circuit, Samuel Blatchford, Associate Justice
For the Third Circuit, George Shiras Jr Associate Justice

For the Fourth Circuit, Nathaniel H. Miller, Chief Justice.
For the Fifth Circuit, Lucius H. Chipman, Associate Justice.
For the Sixth Circuit, Henry C. Emmons, Associate Justice.
For the Seventh Circuit, Melville W. Fuller, Chief Justice.
For the Eighth Circuit, David S. Brewer, Associate Justice.
For the Ninth Circuit, Stephen J. Field, Associate Justice.

7. The San Pedro & Cañon del Agua Company vs. The United States. Appellant.

Mr. Warren Miller of counsel for the appellant moved the Court to amend the Clerk's leave to issue the mandate in this cause, which was opposed by Mr. George Hoadly, of counsel for the appellant. Whereupon, It is ordered by the Court that said motion be, and the same is hereby, denied.

50. George Legg. vs. Pgf. in Error. E.L. Hedden, late Collector &c.

On motion of Mr. Solicitor General Aldrich, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States. — On motion of Mr. Solicitor General Aldrich,
370 v. — Pltf. in Error. — of counsel for the plaintiff in error, It is ordered by the Court that this cause be advanced and assigned for argument with case No. 143 on the docket for the present term as one case.
Herman Isaacs.

James St. Joy, Executor et al. — On motion of Mr.
214 v. — Appellants. — George Stoddy, of
Amherst College, etc. et al. — counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

Max Greenthal. — Mr. George Stoddy,
3 v. — Appellant. — of counsel for the
Jersey Coats, Designs etc. — appellant, submitted to the consideration of the Court a motion to vacate and set aside the decree entered herein on October 17, 1892, and to restore the cause to the docket.

Alexander Gilmore
1173. ... vs. ... Appellant.
Eddy B. Comstock.

Mr. D. A. Garland, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

The Amoskeag National Bank et al.
... vs. ... Appellants.
Alfred G. Fairbanks, Assignee &c.

Mr. Clarence A. Seward, of counsel for the appellants, submitted to the consideration of the Court a stipulation of counsel for the respective parties herein to remand this cause to the Circuit Court of the United States for the District of New Hampshire with directions to dismiss the bill.

John W. Burke.
1582. ... vs. ... Appellant.
H. Grafton Dulaney.

Mr. Leigh Robinson, of counsel for the appellee, suggested the death of H. Grafton Dulaney, the appellee herein, and moved the Court to make Richard H. Dulaney and John Southgate Lemmon, Executors of the said H. Grafton Dulaney, the parties appellees. Whereupon, it is now here ordered

ed by the Court that the said Richard H. Dulaney and John Southgate Lemmon, Executors of H. Clayton Dulaney, deceased, be, and they are hereby, made the parties appellees in this cause.

Sarah G. Marshall et al. vs. Woodbury Wheeler et al. 578. Appellants. The motions for leave to file the transcript of record in this cause and to dismiss the appeal were submitted to the consideration of the Court on printed arguments by Mr. Calderon Carlisle, in support of the motion for leave to file the transcript and in opposition to the motion to dismiss, and by Mr. William O'Mc. Kenney, in opposition to the motion for leave to file the transcript and in support of the motion to dismiss.

The Louisville Board of Trade vs. The City of Louisville et al. 599. Plff. in Error. Def. in Error. In Error to the Court of Appeals of the State of Kentucky.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss

this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

D. M. Osborne & Company.
95. vs. Appellant.
The Missouri Pacific Railway Co.

The argument of this cause was continued by Mr. P. R. Fitzgerald, of counsel for the appellant, and Mr. John F. Dillon, of counsel for the appellee, and concluded by Mr. P. R. Fitzgerald, of counsel for the appellant.

William Shannon.
96. vs. Appellant.
Preston W. Brunes.
&
Preston W. Brunes.
97. vs. Appellant.
William Shannon.

The argument of these cases was commenced by Mr. Upton H. Young, of counsel for Shannon, and continued by Mr. George F. Russell, of counsel for Brunes.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday. December 21st, 1875.

Court met to adjourned the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that John Power, Esquire, of Escanaba State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. W. Perkins it is ordered that Edward C. Little, Esquire of Abilene, State of Kansas, be admitted to practice as an attorney

and counsellor of this Court and he was sworn accordingly.

The Manufacturing National Bank et al. vs. Alfred G. Fairbanks, Assignee &c. — Appellants. — Appeal from the Circuit Court of the United States for the District of New Hampshire

209

This cause having been called to the attention of the Court by Mr. Thomas L. Livermore, of counsel for the appellants, and a Stipulation of counsel for the respective parties to reverse the decree of the Circuit Court of the United States for the District of New Hampshire in this cause having been filed. Therefore, in pursuance of said Stipulation, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with law.

per Mr. Chief Justice Waite.

William Shannon.
76. vs. Appellants.
Preston W. Bruner.

and

Preston W. Bruner.
97. vs. Appellants.
William Shannon.

The argument of these cases was continued by Mr. G. W. Judson, of counsel for Bruner, and concluded by Mr. Upton W. Young, of counsel for Shannon.

Richard P. Barden et al.
208. vs. Pepp. in Error.
The Northern Pacific R.R. Co.

and

The Northern Pacific R.R. Co.
1154. vs. Appellants.
C. F. Walker, County Auditor et al.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on January 16th next, at the head of the call for that day.

John W. Noble, Secretary of the Interior et al.
1157. vs. Appellants.
The Union River Logging Railroad Company.

This cause was argued by Mr. Assist and Attorney General Maury, of counsel for the appellants, and Mr. Frederick

M. Mc. Kenney, of counsel for the appellee.

The United States ex rel:
Elizabeth Traok.
1232 vs. Jeff. in Error.
John Wanamaker, Post-
master General.

The argument of
this cause was
commenced by
Mr. Harvey Spald
ing, of counsel for
the plaintiff in er-
ror.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Wednesday, December, 21st, 1892

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Horace Gray
Samuel Blatchford ..... Associate
David J. Brewer ..... Justices
Henry B. Brown
George Shiras, Jr.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that John B. Bullit, Junior, Esquire, of St. Paul, and Alfred B. Clarke, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

La Compañia Bilbaina de Navegacion, de Bilbao.
66 vs. Appellant.
The Spanish American Iron Co. et al.

On motion of Mr. Frederic D. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States ex rel: Elizabeth Crouch.
1252 vs. Pff. in Error.
John Wanamaker, Postmaster General.

The argument of this cause was continued by Mr. Warren Spalding, of counsel for the plaintiff in error. The Court did not desire to hear further argument.

The Southern Pacific R.R. Co., in New Mexico.
109 vs. Pff. in Error.
Pedro Esquibel.

On motion of Mr. James C. Carter, of counsel for the plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

W. W. Jennings. ... This cause was
vs. argued by Mr.
Van Buren Circuit Judge Superintendent and Coal Company. ... counsel for the plaintiff in error,

& Mr. S. P. Wolverton, of counsel for the defendant in error.

Levi Ankeny. ... The argument of this cause
vs. was commenced by Mr.
Van Buren Clerk. John H. Mitchell, of counsel for the plaintiff in error, and continued by Mr. John B. Allen, of counsel for the defendant in error.

Consideration being had the Court is adjourned, until to-morrow at twelve o'clock.

Thursday, December 22d. 1892.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in behalf by Mr. C. S. Thomas it is ordered that William H. Bryant, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. C. H. Aldrich it is ordered that Frank D. Larrabee, Esquire, of Minneapolis,

State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Meloy. vs. Pff. in Error.
Robert Schell et al, Executors of Augustus Schell, deceased. late Collector etc.

In Error to the Circuit Court of the United States for the Southern District of New York.

64.

This cause having been called to the attention of the Court by Mr. Frederic A. Mc. Kinney, on behalf of counsel for the plaintiff in error, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

Felipe H. Casado surviving partner etc. vs. Plff. in Error
Robert Schell et al. Executors of Augustus Schell, deceased, late Collector etc.

In Error to the Circuit Court of the United States for the Southern District of New York

165

This cause having been called by the attorney of the Court by Mr. Frederic D. McKenney in behalf of counsel for the plaintiff in error and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Chase.

Wm. A. Lottimer et al. Executors etc. vs. Plffs. in Error.
John B. Parsons et al. Executors of Hugh Maxwell, deceased, late Collector etc.

In Error to the Circuit Court of the United States for the Southern District of New York

271.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, on behalf of counsel for the plaintiff in error, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Susan Ludlow.
1106. vs. Pff. in Error.
The North River Bridge Co.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Gilbert Collins, of counsel for the plaintiff in error and Mr. J. D. Bedle, of counsel for the defendant in error.

Lee Antony.
84 vs. Pff. in Error.
Lee Burew Clark.

The argument of this cause was continued by Mr. John B. Allen, of counsel for the defendant in error, and concluded by Mr. John

Mr Mitchell, of counsel for the plaintiffs in error.

David May et al
vs
Daniel K. Emery.

Appellants

This cause was argued by Mr. L. L. Rockwood, of counsel for the appellants, and Mr. Charles H. Abbott, of counsel for the appellee.

Proclamation being made the Court is adjourned until Tuesday, January 3d, 1893, at twelve o'clock

Tuesday, January 3d. 1873.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B Brown
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Henry M. Cooke, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey Brown it is ordered that Walter B. Vincent, Esquire of Providence, State

of Rhode Island, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G. Bigelow it is ordered that John L. Hunt, Esquire of County State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Mitchell it is ordered that John W. Harris, Esquire, of Seattle State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John C. Streeter, Plff. in Error, vs. The Jefferson County National Bank. In Error to the Supreme Court of the State of New York.

87

This cause came on to be heard on the transcript of the record from the Supreme Court

the State of New York, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

John B. Alexandre, S. Joseph Alexandre & J. Henry Alexandre, Executors of Francis Alexandre, deceased et al., Claimants of the American Steamship "City of New York," &c.,

vs. Appellants

John Wachsan et al., Owners of the British Bark "Helen," &c.

Appeal from the United States for the Southern District of New York

61.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed

with costs, but without interest.

per Mr. Justice Brown.

77 John P. Little vs. The Board of Supervisors. Appeal from the Circuit Court of the United States for the Northern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Brown.

87 The Mowrer Cattle Company. vs. A. W. Becker. Appellant. Appeal from the Circuit Court of the United States for the Northern District of Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of

Term, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause except as to section 6th, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brown.

The Albuquerque National Bank, Appellant, vs. Jose D. Perea, Sheriff and ex-officio Collector of the County of Bernalillo, et al. Appeal from the Supreme Court of the Territory of New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supre-

the Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Knox County, in the State of Missouri.

vs. Error to the Circuit Court of the United States for the Eastern District of New York.

The Union National Bank of the City of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Brewer.

Ex parte: In the matter of Henry Morrison. ? Original. — Petitioner. } On petition for writ of mandamus.

On consideration of the petition for a writ of mandamus herein, of the return to the rule to show cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said petition be and the same is hereby, denied.

per Mr. Justice Blatchford.

Ex parte: In the matter of Henry Morrison. ? Original. — Petitioner. } On petition for a Writ of Prohibition.

On consideration of the petition for a writ of prohibition herein, of the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be and the same is hereby, denied.

per Mr. Justice Blatchford.

The Lake Shore & Michigan Southern Railway Company.		In Error to the Circuit Court of the United States for the Northern District of Illinois.
58	vs.	Cff. in Errs.
Chalmer M. C. Prentice.		

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: & that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict, and to order a new trial.

per Mr. Justice Gray.

Mr. Justice Field, Mr. Justice Harlan & Mr. Justice Lamar took no part in the decision of this cause.

The State of Iowa. Complainant.		In Equity. On Bill & Cross-Bill
5. Original	vs.	
The State of Illinois.		

This cause came on to be heard on the pleadings

maps and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and declared by the Court that the boundary line between the State of Iowa and the State of Illinois is the middle of the main navigable channel of the Mississippi River at the place where the said bridges mentioned in the pleadings cross said river. And it is further ordered that a commission be appointed to ascertain and designate at said place the boundary line between the two States such commission, consisting of three competent persons, to be named by the Court upon the suggestion of counsel, and be required to make a proper examination and to delineate, on maps prepared for that purpose, the true line as determined by the Court and report the same to the Court for its further action.

per Mr. Justice Field.

Joseph Aukeny & William G. Aukeny.

91 vs. Appellants.

Clara M. Hannon & Joseph E. Hannon.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

Tuesday, January 3d 1893. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

John Fisher & William Lyle, Executors, & Esther Lyle, Sole devisee of John Lyle, deceased.
vs.
Loretta Shropshire and A. G. Shropshire.

Appeal from the Circuit Court of the United States for the Southern District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs.

and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to enter a decree for the amount of $3,350.34 with interest from January 1, 1891.

per Mr. Chief Justice Fuller.

Mar Rosenthal.
3. v. Appellant.
Kersey Coates, Assignee.

On consideration of the motion to vacate and set aside the decree entered herein on October 17th, 1892, and restore the cause to the docket,

It is now here ordered by the Court that said motion be, and the same is hereby granted on payment of costs and cost of printing the transcript of the record.

It is further ordered that the cause be taken as submitted on printed briefs to be filed on or before February 3d next.

per Mr. Chief Justice Fuller.

Sarah E. Marshall et al.
372. v. Appellants.
Woodbury Wheeler et al.

On consideration of the motions to dismiss this appeal, and for leave to

file the transcript of the record in this cause, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that the motion to dismiss be, and the same is hereby denied, and that the motion for leave to file the transcript of the record be, & the same is hereby granted.

per The Chief Justice Fuller.

Alexander P. Smith
1175 vs. Appellant.
Eddy B. Townsend.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, & the same is hereby denied.

per The Chief Justice Fuller.

William Shannon.
No. vs. Appellant.
Preston W. Brewer.
&
Preston W. Brewer.
97 vs. Appellant.
William Shannon.

Appeals from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, each appellant to pay the costs of his appeal.

W. W. Jennings. In Error to the Supreme
vs. Court of the State of
The Coal Ridge Improvement & Coal Company. Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

The United States ex rel
Elizabeth Brady.
282. vs. Pff in Error.
John Wanamaker, Post-
master General.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The United States.
330. vs. Appellant
John W. Danner.

This cause was submitted to the consideration of the Court, pursuant to the 24th rule on the record and printed arguments by Mr. Solicitor General Aldrich, of counsel for the appellant, and Mr. George A. King, of counsel for the appellee.

459. The United States. vs. Appellant. Simon Hall. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Solicitor General Aldrich of counsel for the appellant and Mr. C. B. Lancaster of counsel for the appellee.

483 The United States. vs. Appellant Thomas Fletcher. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Solicitor General Aldrich of counsel for the appellant and Mr W. W. Dudley, Mr. Louis E. Muckner and Mr. R. G. McMahon of counsel for the appellee.

94 The United States. vs. Appellant. Marion Brown. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Peter Brannigan of counsel for the appellant and Mr. W. W. Dudley, Mr. Louis E. Muckner and

Tuesday, January 3d 1875. Continued.

Mr. C. A. Mc Mahon of counsel for the appellee.

The United States		Appeal from the Circuit Court
167	vs. Appellants	of the United States for the
Edwin S Mazeen		District of Connecticut

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the appellant, and he having moved the Court to dismiss this cause; Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

The United States		Appeal from the
38	vs. Appellants	Court of Claims.
William W. Gilbert		

This cause having been called to the attention of the Court by Mr. Solicitor General Aldrich, of counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said mo-

ture. It is now here ordered and adjudged by this Court that the appeal be and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Eureka & Palisade Railroad Company. vs. The United States. } In Error.

On motion of Mr. Solicitor General Aldrich, of counsel for the defendant in error leave is hereby granted the Clerk to issue the mandate in this cause.

The Schooner San Diego, L. H. Handy & Co., Claimants. vs. The United States. } Appellants.

Mr. Solicitor General Aldrich, of counsel for the appellee, having filed in open Court the following certificate, to wit:

'The United States. }
District of Alaska. } ss.

In the District Court of the United States for the District of Alaska.

The United States
vs
The Schooner "San Diego."
and L. H. Handy & Co. } No. 52.

I, W. R. Peckinpaugh, Clerk of the District Court of the United States for the District of Alaska, do hereby certify that on the 26th day of August 1887 by an order of said District Court of the United States duly made and entered of record an appeal was allowed to defendants and claimants in the above entitled cause. A copy of said order is hereto attached & made a part of this certificate.

In witness whereof I hereunto set my hand and the seal of said Court at Sitka this 12th day of December 1893.

(Seal) W. R. Peckinpaugh, Clerk.

In the District Court of the United States
for the District of Alaska.

United States
vs.
Schooner San Diego
& L. H. Handy & Co. } No. 52.
Order granting appeal.

Upon hearing and filing petition of L. B. Handy and Co. claimants herein praying for an order allowing them to appeal this cause to the Supreme Court of the United States and upon hearing and filing the affidavit of W. Clark Esq. proctor for the claimants, and no objection being raised on the part of the United States, and sufficient security having been given by said claimants that they will prosecute said appeal to effect and upon being fully advised in the premises it is ordered that said petition be granted and said claimants allowed to appeal this cause.

Done at Sitka Alaska this 26th day of August 1887.

(Signed). La Fayette Dawson

Judge of the above court".

moved the Court to docket and dismiss this cause pursuant to the ninth rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court. It is now here ordered adjudged and decreed by this Court that this appeal from the District Court of the United States for the District

of Alaska be, and the same is hereby, dismissed and dismissed: and that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1240. The United States, Appellant v. Grand Lake, and
1241. The United States, Appellant v. Taron L. Cook.

Mr. Solicitor General Aldrich of counsel for the appellant, submitted to the consideration of the Court a motion to advance these cases

Jacob A. Mann. vs. The Tacoma Land Co. Appellant. On motion of Mr. E. A. Mr. Lee Thurston of counsel for the appellant, It is ordered by the Court that the time for filing briefs in this cause for submission under the 20th rule be extended to the 9th inst and.

1242. The Columbus Watch Co., et al. vs. Royal E. Robbins, et al Appellants. Mr. W. D. Leggett of counsel for the appellants,

submitted to the consideration of the Court a motion to advance this cause.

The United States ex rel: George E. Merrick et al. v. Plff in Error. Charles Foster, Secretary of the Treasury. 1279

Mr. O. H. Garland, of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Charles Hoffmyhoff. v. Plff in Error. J. O. Edwards, doing business as J. O. Edwards & Co. 256

In Error to the Circuit Court of the United States for the Southern District of Ohio

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

C. W. Clark.	Appeal from the Circuit Court
592. vs. Appellant	of the United States for the
S. F. Ware.	Western District of Virginia.

It appearing to the Court that an authority of counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said authority It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

W. P. Clement et al.	This cause was sub-
111. vs. Pffs. in Error.	mitted to the consi-
J. A. Field et al.	deration of the Court

on the record and printed arguments by Mr. A. P. Dellinger, of counsel for the plaintiffs in error and Mr. S. H. Taylor, of counsel for the defendants in error.

100 Marcella Doyle Pff in Error vs. The Union Pacific Railway Co.
101 Marcella Doyle Pff in Error vs. The Union Pacific Railway Co.

These cases were argued by Mr. F. W. Cotter-

sor, of counsel for the plaintiff in error, and Mr. John E. Dillon, of counsel for the defendant in error.

Calvin O. Bernier et al. vs. Pltfs. in Error. Edward Bernier et al. 103.

The argument of this cause was commenced by Mr. J. C. Donnelly, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice.

Stephen J. Field.

Horace Gray.

Samuel Blatchford. Associate

David J. Brewer. Justices

Henry B. Brown.

George Shiras, Jr.

John H. Wright, Esquire, Marshal.

James R. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lawton Brown it is ordered that Robert J. Gamble, Esquire, of Yankton, State of South Dakota, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

The City of New Orleans. This cause was

1154 vs. Appellant. submitted to the

Augustus Brine, U. S. Dep. Surveyor. consideration

of the Court pursuant to the 50th rule on the record and printed arguments by Mr. J. L. Brandford of counsel for the appellants and Mr. Assistant Attorney General Maury of counsel for the appellee.

Calixte D. Bernier et al. vs. Edward Bernier et al. 103. Pffs. in Error.

The argument of this cause was continued by Mr. J. C. Donnelly of counsel for the plaintiffs in error, and Mr. J. A. Coy of counsel for the defendants in error, and concluded by Mr. C. J. Donnelly of counsel for the plaintiffs in error.

Theodore J. Wolle vs. James H. C. Sherwood. 108. Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Sherwood and Mr. John A. Jones, of counsel for the appellant, and Mr. C. S. Montgomery, of counsel for the appellee.

Adam Horn
vs. Appellant
John Mc. Ruth Executor etc.

Was again taken up and
called to the notice
of the Court
on the record and
argued argument by Mr. J.E. Hamilton of
counsel for the appellant and Mr. Wells M.
Shortall of counsel for the appellee.

Lucas Weatherhead et al
vs. Appellants
William Boyce et al

The argument of
this cause was con-
cluded by Mr. Wells
A. Purcell, of counsel
for the appellants and continued by Mr. Wil-
liam H. Thurston of counsel for the appellee.

Boochuation being made the Court is adjourned
until to-morrow at Twelve o'clock

Thursday, January 6th, 1898.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. G. Rice it is ordered that Harvey Riddell, Esquire of Denver, State of Colorado be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. W. Hoeber it is ordered that Oscar Poole, Esquire of Washington, District

of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Diego Weatherhead et al. vs. Appellants William Corpe et al.

The argument of this cause was continued by Mr. William H. Clarke of counsel for the appellees, & concluded by Mr. Charles Brown of counsel for the appellants.

The United Lines Telegraph Company et al. vs. Appellants. The Baltimore & Ohio Railroad and Canal Company.

The argument of this cause was commenced by Mr. Cabell & on account of counsel for the appellants and continued by Mr. William H. Wilson, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock

Friday. January 6th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Bakewell it is ordered that Thomas W. Bakewell, Esquire of Pittsburg, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

David L. Stanley et al. } This cause was sub-
1092 vs. } Error to &c. mitted to the consid-
Mary M. Schuyler et al. } eration of the Court

pursuant to the 16th rule, the second and printed arguments by Mr. Assistant Attorney General Henry, of counsel for the plaintiffs in error, and Mr. J. H. Gilpatrick of counsel for the defendants in error.

106. The United States Telegraph Company et al. vs. The Boston Safe Deposit and Trust Company. Appellants.

The argument of this cause was commenced by Mr. William L. Wilson, of counsel for the appellee, and concluded by Mr. Robert T. Swaine, of counsel for the appellants.

107. J. C. Bowerman, Plaintiff in Error, vs. Abraham G. Hall. Defendant.

The argument of this cause was commenced by Mr. Orlando Hitchcock, of counsel for the plaintiff in error, continued by Mr. Samuel Shellabarger of counsel for the defendant in error, and concluded by Mr. J. H. Gilpatrick, of counsel for the plaintiff in error.

Nicholas S. Hill. This cause was argued
104. v. Pff. in Error. by Mr. Morny Rumsell
The United States. Butler, of counsel for the
defendant in error, and
submitted on a printed argument by Mr.
A. Alex. Preston, of counsel for the plaintiff in
error.

The United States. This cause was submit-
313. vs. Appellant. ted to the consideration
Richard Jones. of the Court pursuant to
the 20th rule, on the re-
cord and printed arguments by Mr. Solicitor
General Aldrich and Mr. Geo. Bramigan of
counsel for the appellant, and Mr. W. W. Dudley,
Mr. A. S. Pinckney and Mr. C. B. Mc. Graham of
counsel for the appellee.

The United States. This cause was sub-
649. vs. Appellant. mitted to the consider-
Charles S. Farmer. ation of the Court, pur-
suant to the 20th rule,
on the record and printed arguments by Mr. Sol-
icitor General Aldrich and Mr. Geo. Bramig-
gan, of counsel for the appellant and Mr. B.

Monday January 6th 1896 Continued.

In Error to the Circuit Court of the United States for the Southern District of New York

William H. Robertson, Collector of the Port of New York
vs.
George A. Allen.

The Attorney General of the United States for the plaintiff in error

This cause having been called to the attention of the Court by the Attorney General Counsel for the plaintiff in error, and he having moved the Court to dismiss this cause; Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per the Chief Justice Fuller.

Proclamation being made the Court is duly opened until Monday next at twelve o'clock.

Monday, January 9th. 1899.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras. Jr.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that James H. Hixon, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr George S. Boutwell it is ordered that John Crilcher, Esquire of Alexandria, State

of Virginia, be admitted to practice as an attorney and counsellor of this Court and be sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick D. McHenry it is ordered that Charles Lewis Corbusier, Esquire of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and be sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that J. B. Jones, Esquire of Lancaster, J. D. Barron, Esquire of Columbia, W. Hayne Fitzsimons, Esquire of Charleston and N. T. Townsend, Esquire of Union, State of South Carolina be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

W. B. Holmes, John Dillard and R. Phipps ..... Pltffs. in Error

vs. ..... In Error to the Circuit Court of the United States for the District of Oregon

98. L. Goldsmith & Max Goldsmith, partners under the firm name of L. Goldsmith & Co ..... Deft in Error

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Oregon.

Per Mr. Justice Strong.

John W. Noble, Secretary of the Interior, & Thomas A. Carter, Commissioner of the General Land Office. ..... Appeal from the Supreme Court of the

1157 ..... to. ..... Appellants. ..... District of

The Union River Logging Railroad Company. Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is

now here ordered, adjudged and decreed by the Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Illinois Central Railroad Company.	In Error to the Supreme Court
No. 25 vs.	of the State of
The City of Decatur.	Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Mr. Justice Blatchford took no part in the decision of this case.

Sarah G. Miles ..... In Error to the Circuit
vs. Court of the United States
The Connecticut Mutual for the Eastern District
Life Insurance Company. of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

Dissenting:
Mr. Justice Brown.

1085. John Scully ..... On a certificate
vs. Eff. in Error. from the United
The Board of County Commissioners of the County of Lake, State of Colorado. States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of

Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the affirmative & the second in the negative. Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Gray.

The San Pedro & Cañon del Agua Company. vs. Appellant. The United States.

It is ordered by this Court that leave be, and the same is hereby, granted to file an application for a modification of the decree entered herein by this Court, and notice of the same is directed to be given counsel for the appellee, and briefs will be received on both sides to be filed on or before the 23d inst.

Per Mr. Chief Justice Waite.

The United States. vs. Appellant. Grant Gates.

1060 Our consideration of the motion to advance these cases, It is now

The United States, ... were ordered by the
1361. vs. Appellant. Court that said motion
Aaron S. Post. ... be, and the same is
hereby, denied, but
these cases will be taken as submitted on
printed briefs, under the rule, if filed by the
cases submitted before the first Monday of
March next.

per Mr. Chief Justice Fuller.

The United States ex rel: On consideration
George E. Merrick et al. of the motion to
1373 vs. Appts. in Error. advance this cause,
Charles Foster, Secretary it is now here
of the Treasury. ... ordered by the
Court that said
motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Columbus Watch Com- On consideration
pany et al. of the motion to
1242. vs. Appellants. advance this
Royal E. Robbins et al. cause, it is now
here ordered by
the Court that the said motion be, and the

same is hereby, granted, provided the case is submitted upon printed briefs to be filed on or before the first Monday of March next.

per Mr. Chief Justice Fuller

Elijah W. Metcalf. vs. Plff. in Error. The City of Watertown.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument before a full bench.

per Mr. Chief Justice Fuller.

No. 1099.

The De La Verne Refrigerating Machine Company. vs. Appellant. John Featherstone et al.

On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit and was argued by counsel. On consideration whereof, It is the opinion of this Court that the grant of letters patent to James Boyle was not void because of the death of Boyle before the patent was issued, and that it should be construed in the

assignee as a grant to James Boyle, or his heirs, or assigns which would include a grantee or grantees in being capable of taking the patent and to whose benefit the grant would inure: that the patent should be construed as a grant to Thomas L. Rankin or assigns, and held to have been obtained by the authority of Mrs. Boyle as Administratrix, as well as of Rankin: and that the amendment did not render the patent absolutely void nor did the fact that no oath was filed after Boyle's death.

Whereupon, It is now here ordered by the Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Chief Justice Fuller.

1415 Josiah Barnett, Assignee vs. Patrick H. Kinney. Appellant.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. W. H. H. Miller and Mr. C. E. Warren, of counsel for the appellant, and Mr. William Howe Abell and Mr. John W. Warner, of counsel for the appellee.

Alexander G. Smith. On motion of Mr. At-
1173. vs. Appellant. torney General Miller,
Eddy B. Townsend. leave is hereby granted
to renew the motion
to advance in this cause.

The United States. This cause was submit-
467. vs. Appellant. ted to the consideration
George Truesdell. of the Court, pursuant
to the 20th rule, on the
record and printed arguments by Mr. Assistant
Attorney General Cotton, of counsel for the ap-
pellant and Mr. Jos Barnard and Mr. George
A. King, of counsel for the appellee.

The United States. This cause was
552. vs. Appellant. submitted to the
Emilia M. Alexander et al. consideration of
the Court, pursu
ant to the 20th rule, on the record & print
ed arguments by Mr. Assistant Attorney Gen
eral Cotton, of counsel for the appellant, and
Mr. Jos Barnard and Mr. George A. King,
of counsel for the appellee.

The United States
628. vs. Appellant.
H. A. King.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. Solicitor General Aldrich for Mr. Peter Brannigan, of counsel for the appellant, and Mr. C. C. Lancaster, of counsel for the appellee.

Edward Smithmeyer et al.
648. vs. Appellants.
The United States.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. John Paul Jones Mr. Peter H. Dunbar and Mr. Isaac Bateman, of counsel for the appellants, and Mr. Solicitor General Aldrich and Mr. Peter Brannigan, of counsel for the appellee.

The United States.
673. vs. Appellant.
John W. Payne.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Solicitor General Aldrich and Mr. Peter Bran-

mugan, of counsel for the appellant, and Mr. C. C. Lancaster, of counsel for the appellee.

The United States. vs. Henry Pitman. Appellant. 699

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Solicitor General Aldrich and Mr. Ellis Brannigan, of counsel for the appellant, and Mr. Henry Pitman, pro se.

The United States. vs. Henry H. Taylor. Appellant. 700

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Solicitor General Aldrich & Mr. Ellis Brannigan, of counsel for the appellant and Mr. George A. King, of counsel for the appellee.

The United States. vs. Stephen C. Mc. Candless Appellant. 701

This cause was submitted to the consideration of the Court, pursuant

to the 20th rule, on the record and printed arguments by Mr. Solicitor General Aldrich and Mr. Felix Brannigan, of counsel for the appellant, and Mr. C. C. Lancaster, of counsel for the appellee.

William Harman
1022 vs. Pltf. in Error.
The City of Chicago.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. A. J. Schuyler and Mr. C. B. Kramer, of counsel for the plaintiff in error and Mr. John S. Miller, of counsel for the defendant in error.

B. O. Shunk.
1153 vs. Pltf. in Error.
The Moline Milburn and Stoddard Company.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. W. J. Lauth, of counsel for the plaintiff in error, and Mr. John L. Webster, of counsel for the defendant in error.

Belle M.B. Wade et al., Trustees.
247. vs. Appellants.
The Chicago, Springfield & St. Louis Railroad Company et al.
&
The American Loan & Trust Co. of New York.
248. vs. Appellant.
Belle M.B. Wade et al., Trustees.

Mr. D. Shirley Notion in behalf of counsel, suggesting the dissolution of the American Loan and Trust Company of New York, and submitted to the consideration of the Court a motion to substitute Dallas B. Pratt, Trustee, as a party in these cases in place of the said American Loan & Trust Company of New York.

The United States.
638. vs. Appellant.
William W. Gilbert
&
The United States.
667 vs. Appellant.
Edwin E. Warren.

On motion of Mr. C.C. Lancaster, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in these cases.

Henry E. Deno.
117 vs. Pff. in Error.
W. E. Griffin.

On motion of Mr. J. H. Ralston, of counsel for the defendant in error, It is ordered by the Court that this cause be and the same is hereby passed.

George P. Pettibone et al
1241 vs. Pffs. in Error.
The United States.

Mr. Wallace A. Smith of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

George I. Seney Trustee
81 vs. Appellant.
The Wabash Western Railway Company.

On motion of Mr. Wells H. Blodgett, of counsel for the appellee, It is ordered by the Court that this cause be passed to be argued with cases Nos. 282 and 288, as one case, when No. 282 is reached in the call of the docket.

Ex parte. In the matter of
John B. Sanborn.
Petitioner.

Mr. William C. King of counsel for the petitioner submit-

Leave to the consideration of the Court a motion for leave to file a petition for a writ of certiorari herein.

The Lucas Iron Works et al. vs. Thomas Lib. Skinner. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

338

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed

per Mr. Chief Justice Waite.

S. S. Taylor et al. vs. Alfred Brown et al. — This cause was argued by Mr. Robert J. Gamble, of counsel for the appellees, and submitted on a printed argument by Mr. S. S. Burdett, of counsel for the appellants

113.

Thomas Paw-to-pee et al.
125. vs. Appellants:
The United States.

&

The Pottawattomie Indians
of Michigan and Indiana.
1138. vs. Appellants.
The United States.

The argument of these cases was commenced by Mr. John B. Stipp-man of counsel for the appellants in No. 1135, and continued by Mr. John Critchlow of counsel for the appellants in No. 1138, and Mr Assistant Attorney General Parker of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday January 5th 1836

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
Philip P. Barbour
Henry Baldwin
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
Joseph Story
Benjamin R. Curtis
} Associate Justices

John McPherson Esqr. Marshal.
Wm. T. Carroll Esqr. Clerk

Proclamation being made the Court is opened.

1125 Pierce Cass to use &c. vs. Appellants. The United States

1133 The Pottawattomie Indians of Michigan and Indiana. vs. Appellants. The United States.

The argument of these cases was continued by Mr. Assistant Attorney General Parker, of counsel for the appellee. and Mr. George T. Bradley of counsel for the appellants in No. 1133.

cluded by Mr. John C. Shipman of counsel for the appellants in No. 1125.

The United States.
1073. vs. Appellants.
The California & Oregon Land Co
&
The United States.
1159. vs. Appellants.
The Dallas Military Road Co et al

The argument of these cases was continued by Mr. Assistant Attorney General Parker, of counsel for the appellants, and continued by Mr. J. C. Brown of counsel for the appellees in No. 1073.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
Horace Gray
Samuel Blatchford
David J. Brewer
Henry B. Brown
George Shiras Jr.
John W. Wright Esquire Marshal
James H. Mc. Kenney Clerk.

Proclamation being made the Court is opened.

W. E. Hughes. In Error to the Circuit Court
599 vs. Error to of the United States for the
Thomas Robson. Northern District of Ohio.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the

same is hereby dismissed.

per Mr. Chief Justice Fuller.

The United States.
1078. vs. Appellant.
The California & Oregon Land Co.

&

The United States.
1159 vs. Appellant.
The Dallas Military Road Co. et al.

The argument of these cases was continued by Mr. A. B. Browne, and Mr. John F. Dillon, of counsel for the appellee in No. 1078 and Mr. James K. Kelly, of counsel for the appellee in No 1159 and concluded by Mr. Assistant Attorney General Carter, of counsel for appellant.

George K. Walker, Treasurer, et al.
206 vs. Appellants.
The Northwestern Railroad Co.

&

D. B. Keeler et al.
207 vs. Appellants.
The Central Railroad Company of South Carolina.

The argument of these case was commenced by Mr. Samuel Lord, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. January 27th 1876

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras Jr.
John W. Wright Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W.B. Conghtry it is ordered that Herman Kobbe, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

George A. Walter Treasurer &c. Appellants.
1206 vs.
The Northwestern Railroad Co.

The argument of these cases was continued

D. E. Keels et al.
1207 vs. Appellants.
The Central Railroad Company of South Carolina.

by Mr. Henry A. M. Smith, of counsel for the appellants and Mr. W. Hagier Fitz-Simons, of counsel for the appellee in No. 1208. The Court declined to hear further argument.

Amos Woodruff, Trustee et al
17 vs. Pltfs. in Error.
The State of Mississippi et al. Defts.

The argument of this cause was commenced by Mr. Calderon Carlisle of counsel for the plaintiffs in error, and continued by Mr. Frank Johnston, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 5th, 1849

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Hasketh W. Butler Chief Justice,
Stephen J. Field.
Nathaniel Bradley.
Samuel Belcher. Associate
David J. Brewer. Justices
Henry C. Brown.
George Hunt, Jr.
John W. Wright, Esquire Marshal
James K. Mc. Kinney, Clerk.

Proclamation being made the Court is opened.

Alexander G. Smith. vs. Appellant. Eddy B. Townsend.

1173. Mr. Attorney General Mullin submitted to the consideration of the Court a motion to advance this cause.

Mary B. Campbell, Administratrix of James B. Campbell, deceased et al vs. Pffo. in Error. A. J. Dunkley & B. O'Neil, Executors of John Mc. Keegan, deceased.

1148. In Error to the Court of Common Pleas of Charleston County. State of South Carolina.

This cause having been called to the attention of the Court by Mr. William E. Earle of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Mary B. Campbell, Administratrix of James B. Campbell, deceased, et al. vs. B. J. Whaley. — Pffs. in Error. — In Error to the Court of Common Pleas of Charleston County, State of South Carolina.

1309

This cause having been called to the attention of the Court by Mr. Wm. E. Earle, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Amos Woodruff, Trustee et al. vs. Appeals in Error. The State of Mississippi et al.

The argument of this cause was continued by Mr. Frank Johnston and Mr. S. Hurley Ostrom, of counsel for the defendants in error, and concluded by Mr. Nathan Pardee, of counsel for the plaintiffs in error.

The State of Indiana. 1162. vs. Appellants. The United States.

This cause was argued by Mr. William S. Holt, of counsel for the appellants, and Mr. Assistant Attorney General Parker, of counsel for the appellee.

Arnold, Constable & Co. 1225. vs. Appellants. The United States.

The argument of this cause was commenced by Mr. Stephen G. Clarke, of counsel for the appellants & continued by Mr. Assistant Attorney General Maury, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 16th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown
George Shiras, Jr.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Fuller it is ordered that Leonard W. Colby, Esquire, of Beatrice, State of Nebraska, and Benjamin F. Stillings, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that

Cornelius L. Voor, Esquire, of Burlington State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Louis P. Shoemaker, and Francis D. Shoemaker, Executors &c of Pierce Shoemaker, deceased, et al. vs. Plffs. in Error. The United States on the petition of the Commissioners to select the land for the Rock Creek Park.

In Error to the Supreme Court of the District of Columbia.

97

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

The City of New Orleans. Appeal from the United
114 vs. Appellant. States Circuit Court of
Rufus E. Paine, United Appeals for the Fifth
States Deputy Surveyor. Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby affirmed with costs: and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. Justice Brown.

Adam Kohn. Appeal from the Cir-
85 vs. Appellant. cuit Court of the
John Mc. Mullx, Receiver of United States for the
The Wabash, St. Louis, and Northern District
Pacific Railway Company. of Ohio

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

George Weatherhead, John E. Thompson & William L. Evans, copartners as Weatherhead, Thompson and Co.

vs.

William Corpe & Edwin P. Burgess

Appeal from the Circuit Court of the United States for the District of Rhode Island.

1044

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby

remanded to the said Circuit Court with a direction to dismiss the bill, with costs.

per Mr. Justice Blatchford.

The United States. Appeal from the Circuit Court
649 vs. Appellant. of the United States for the
Charles B. Harmon. District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Blatchford.

Lucas Lucton. In Error to the Circuit Court
56 vs. Plff in Error. of the United States for the
The North River Bridge District of New Jersey.
Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Clifford.

Pamelia O. Bernier Hannah B. Bernier, Louis G. Bernier, Samuel G. Bernier & William Bernier. Pffs. in Error. In Error to the Supreme Court of the State of Michigan.

103 vs.

Edward Bernier, Waldo Bernier Eudriss & John H. Goff.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Supreme Court for further

proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Field.

No. 73. Alexander P. Linville, Appellant, vs. Eddy S. Townsend. On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby granted the cause to be submitted on printed arguments to be filed on or before the first Monday in March next.

per Mr. Chief Justice Fuller.

No. 241. George P. Pettibone et al. vs. Pepp. in Error to the United States. On consideration of the motion to advance this cause it is now here ordered by the Court that said motion be, and the same is hereby granted and the cause assigned for argument on Monday, the 30th instant.

per Mr. Chief Justice Fuller.

In parte. In the matter of John B. Saulsbury Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein. It is now hereordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

In parte: In the matter of John B. Saulsbury. Petitioner.

On consideration of the petition of John B. Saulsbury, It is now hereordered by the Court that cause be shown by the Chief Justice and Judges of the Court of Claims before this Court, at Washington, on Monday the 30th day of January, 1893 at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller

D. W. Estorus & Company. Appeal from the Circuit
vs. Appellant Court of the United States
The Missouri Pacific Rail for the Eastern District
way Company. of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller.

Ellis H. S. Wade et al, Executors. On consider-
247. vs. Appellants. ation of the
The Chicago, Springfield & St. suggestion
Louis Railroad Company et al of the dissolu-
vs. tion of the
The American Loan and Trust American Loan
Company and Trust Com-
248. vs. Appellant. pany of New
Ellis H. S. Wade et al, Trustees. York, and
the motion

to substitute Dallas B. Stull Trustee, as a party in this cause in the place of the said The American Loan and Trust Company of New York. It is now here ordered by the Court that said motion be, & the same is hereby, granted.

per The Chief Justice Fuller.

The Chief Justice announced that the Court would adjourn on Monday February 6th to Saturday March 12th.

William G. Cook et al. vs. Appellants. The Delta & Pine Land Co. et al.

1898. On motion of Mr. Isaac Young, of counsel for the appellants, It is ordered by the Court that the time within which to designate the parts of the transcript of the record in this cause to be printed be extended until the next term.

The United States ex rel: The Interstate Contracting Co. vs. Plff. in Error. Stephen B. Elkins, Secretary of the Department of War.

1897. Mr. A. S. Worthington, of counsel for the plaintiff in error, submitted a motion

tion of the Court to allow to advance this cause, and leave was granted counsel on both sides to submit the printed briefs used on the trial of the case in the Court below.

Charles Jones, Assignee in Bankruptcy of David W. Smith.
198. vs. Appellant.
David W. Smith et al.

Mr. Benjamin F. Hutchings of counsel for the appellant, suggested the death of Charles Jones, and the appointment of Thomas B. Searcall as his successor as Assignee of David W. Smith, and moved the Court to substitute the said Thomas B. Searcall, Assignee in bankruptcy of David W. Smith, as the party appellant in this cause. Whereupon, It is now here ordered by the Court that the said Thomas B. Searcall Assignee in bankruptcy of David W. Smith, be, and he is hereby, made the party appellant in this cause.

Richard P. Barden et al.
908. vs. Plffs. in Error.
The Northern Pacific R.R. Co. Ordered by the
Dfts. Court that these cases

The Northern Pacific R.R. Co.		Ordered that the case be
1124	vs.	Appellants	by passed until
Pearl L. Walker, Dorothy		Friday next.
Davidson et al.		

Arnold Constable & Co.		The argument of this
826	vs.	Appellants	cause was continued
The United States.		by Mr. Assistant Attorney

General for the appellants, and concluded by Mr. W. B. Dougherty of counsel for the appellants.

W. E. Brosser et al.		The argument of this
1202	vs.	Appellants.	cause was continu
The Northern Pacific R.R. Co.		ed by Mr. E. C. Jones

of counsel for the appellants, and continued by Mr. A. H. Garland and Mr. James Mc. Naught, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January, 17th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray. Associate
Samuel Blatchford. Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. John Mc. Vaught it is ordered that Edgar W. Camp, Esquire, of Jamestown, State of North Dakota be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. F. F. Burdett it is ordered that William B. Gault, Esquire, of Sioux City, State of Iowa be admitted to practice as an at-

torney and counsellor of this Court and he was sworn accordingly.

George W. Brackenridge	}	In Error to the Circuit Court
318 vs.		of the United States for the
The Town of Lancaster		Western District of Kentucky.

It appearing to the Court that an authority of counsel for the plaintiff in error to prosecute this cause has been filed. Therefore in pursuance of such authority. It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

W. C. Brower et al.	}	The argument of this
208 vs.		cause was continued
The Northern Pacific R.R. Co.		by Mr. Joseph H.
		Hawkes, of counsel

for the appellee & concluded by Mr. W. C. Brower of counsel for the appellants.

1247 Edward H. Strauss vs. Coffin Bros. & the United States. This cause was argued by Mr. Herman Barrow, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

10. Chesapeake Manufg. Co. (Limited) vs. Mauson Cary et al. Appellant. The argument of this cause was commenced by Mr. Thomas W. Bakewell, of counsel for the appellant, & continued by Mr. W. H. Kenyon, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, January 18th 1893

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field,
Horace Gray, Associate
Samuel Blatchford, Justices
Henry B. Brown,
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Louis P. Shoemaker et al., Executors etc.
197 vs. Appts. in Error.
The United States on the petition of the Commission to select the land for the Rock Creek Park.

On motion of Mr. C. C. Cole, of counsel for the defendant in error, leave is here by granted the Clerk to issue the mandate in this cause.

Hollon Parker,
126 vs. Appellant.
Elizabeth Denny, Executrix etc.

Appeal from the Supreme Court of the District of Washington

This cause having been called to the attention of the Court by Mr. John H. Mitchell, of counsel for the appellant, and a stipulation to dismiss this cause having been filed, Therefore in pursuance of said stipulation, It is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed, Each side to be paid by appellant. And it is further ordered that this cause be, and the same is hereby remanded to the Supreme Court of the State of Washington.

per Mr. Chief Justice Fuller.

D. Sanger et al. vs. O. H. Olds et al. — In Error to the United States Circuit Court of Appeals for the Eighth Circuit.

984

It appearing to the Court that a motion by counsel for plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs. It is further

ordered that this cause be, and the same is hereby remanded to the United States Court in the Indian Territory.

per Mr. Chief Justice Fuller.

The Lowell Manufg Co. Limited
vs. Appellant.
Hanson Gary et al.

The argument of this cause was continued by Mr. H. Mayer, of counsel for the appellee and concluded by Mr. W. Bakewell of counsel for the appellant.

The Boston Safe Deposit & Trust Company.
vs. Appellant.
The City of Grand Haven, Alvah L. Holmes & The Grand Haven Water Works.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and counsel for the respective parties being present in the Court

and counsel for the appellant submitting to an affirmance of the decree of the said Circuit Court which directed that the bill of complaint be dismissed for want of jurisdiction, and counsel for the appellee contending that the said decree was correct in that particular; Therefore, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The Washington & Georgetown Railroad Co., Ex ab. v. Pope in Error. Leon Robinson, Admr, &c.

The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the plaintiffs in error, and continued by Mr. W. L. Cole of counsel for the defendant in error.

[redacted]

Mr. Attorney General Fuller addressed the Court as follows:

It is my painful duty to announce to the Court the death of Rutherford B. Hayes

ex-President of the United States

At his home in Fremont, Ohio after a brief illness at the ripe age of three score years and ten this eminent public servant laid aside the mantle passed from the mortal view into the life hereafter. This is not the time for eulogy and I am constrained to say that in his death the country has lost one who was a good citizen, a good soldier, a good President and a true all a good man.

The Chief Justice responded:

The Court receives the announcement of the death of ex-President Hayes with the sensibility due to his eminent public services and his private virtues: and as a mark of respect to his memory will now adjourn until to-morrow at the usual hour.

[redacted]

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray. Associate
Samuel Blatchford. Justices
Henry B. Brown.
George Shiras, Jr.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Mitchell it is ordered that Charles A. Maxwell & George A. Chase, Esquires, of Washington, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Washington & Georgetown Railroad Co. et al.
vs. } Pltfs. in Error
Leon Polkinis, Admr. etc.

No. 116.

The argument of this cause was continued by Mr. W. A. Cole

and Mr. W. A. Cook, of counsel for the defendant in error, and considered by the Court.

On motion of Mr. Justice Brown, one of counsel for the plaintiffs in error,

S. A. Knapp et al.		In Error to the Circuit
116	vs.	Court of the United States
George J. Harrison et al.		for the District of Illinois.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

S. A. Knapp et al.		In Error to the Circuit
119	vs.	Court of the United States
George J. Harrison et al.		for the District of Illinois.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now

here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Continental Steamboat Co.
122. vs. Pff. in Error.
John A. Burke, Admr, &c.

The cause was argued by Mr. William C. Rodgers, of counsel for the plaintiff in error, and Mr. Martin D. Morris, of counsel for the defendant in error.

S. Marx.
123 vs. Pff. in Error.
Ida L. Kaufhorn.

The argument of this cause was commenced by Mr. John M. Gearin, of counsel for the plaintiff in error and continued by Mr. J. M. Dolph, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 20th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

E. Marx.
123 vs. Writ in Error
Ida J. Hawthorne.

The argument of this cause was continued by Mr. J. M. Wight, of counsel for the defendant in error, and concluded by Mr. J. H. Mitchell, of counsel for the plaintiff in error.

This being the day appointed for the funeral of the late ex-President of the United States Rutherford B. Hayes, the Court out of respect

for the memory suspended business for the remainder of the day.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 23d. 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field

Horace Gray.

Samuel Blatchford. Associate

David J. Brewer. Justices

Henry B. Brown.

George Shiras, Jr.

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Attorney General Miller it is ordered that Henry Addison Alexander, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. George A. Howard it is ordered that Walter D. Edmonds, Esquire of New

York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W.B. Barle it is ordered that Elon R. Brown, Esquire, of Waterloon State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J.C. Broadhead it is ordered that Garland Pollard, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James McNaught it is ordered that Samuel C Hyde, Esquire, of Spokane, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Balderson Bartole it is ordered that Augustus P. Burguin, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. R. H. Voorhees it is ordered that Lewis B. Hillis, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. W. Hallett Phillips it is ordered that John Murray Mitchell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Marcella Doyle. In Error to the Circuit
vs. Court of the United
The Union Pacific Rail- States for the District
way Company. of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs.

per Mr. Justice Shiras.

Marcella Doyle. In Error to the Circuit
vs. Court of the United
The Union Pacific Rail- States for the District
way Company. of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Shiras.

George A. Walker Treasurer of Charleston County, Hugh Deas Sheriff of Charleston County et al.		Appeal from the Circuit Court of the United States for the District of South Carolina.
206. vs.	Appellants.	
The Northeastern Railroad Co.		

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction.

per Mr. Justice Brown.

U.S. Hale, S. Scott Carew, Samuel J. Bowman et al.		Appeal from the Circuit Court of the United States for the District of South Carolina.
207. vs.	Appellants	
The Cuba Railroad Company of South Carolina.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction.

per Mr. Justice Brown.

John L. Smithmeyer, and
Paul J. Pelz. Appeal from the
(No. 1) vs. Appellants. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be,

and the same is hereby affirmed.

per Mr. Justice Blatchford.

William Hamman. In Error to the Supreme
122 vs. Pff. in Error. Court of the State
The City of Chicago. of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Field.

The United States ex rel. The International Contracting Co. On consideration
274 vs. Pff. in Error. of the motion to
Stephen B. Elkins, Secretary advance this cause
of the Department of War. It is now here
ordered by the

Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

617 James Woodruff, Trustee et al. vs. Peffo. in Error. The State of Mississippi et al. It is ordered by the Court that this cause be, and the same is hereby restored to the docket for re-argument before a full bench.

per Mr. Chief Justice Fuller.

73 J. A. Pooke & W. B. Pooke vs. Peffo in Error. W. W. Avery. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed, except as to the recovery of damages and costs against

W. E. Cooke, one of the defendants below and as to said W. E. Cooke that part of said judgment be, and the same is hereby, reversed with costs and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to order the judgment to be modified so as to conform to this judgment.

per Mr. Chief Justice Fuller.

John Ekern, as Trustee of and for the benefit of the creditors of the National Express & Transportation Company.

vs.

David J. Gantz, Robert A. Lancaster & Samuel A. Harrison.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed for the want of jurisdiction.

The Alaska Cargue Refrigerating Machine Company.

1099 ... to. ... Appellant. ... Motion for an order granting the Clerk leave to issue the mandate

John Featherstone et al.

in this cause was submitted to the consideration of the Court by Mr. B. H. Aldrich, in support of the same and Mr. William A. McKenney, in opposition thereto.

Ex parte: In the matter of William H. Gaines et al Petitioners

&

Ex parte: In the matter of William H. Gaines et al. Petitioners.

Mr. William A. McKenney, in behalf of counsel for the petitioners, submitted to the consideration of the Court motions for leave to file petitions for writs of mandamus herein.

Sallie L. Thornton.

1080 ... to ... Pff. in Error.

The City Council of Montgomery. .....

The motions to dismiss or affirm in this cause were submitted to the consideration of

the Court on the record and printed arguments by Mr. W. Hallett Phillips and Mr. H. B. Temple, in support of the same, and Mr. John W. Shilton in opposition thereto.

Ex parte. In the matter of John C. Hawkins. Petitioner. On motion for leave to file a petition for a writ of mandamus herein was submitted to the consideration of the Court on printed arguments by Mr. George A. Black, in support of the same, and Mr. John Murray Mitchell, in opposition thereto.

67. R. B. Cooper. vs. Plff. in Error. The People of the State of California. This cause was submitted to the consideration of the Court on the records and printed arguments by Mr. John B. Parsons of counsel for the plaintiff in error and Mr. W. H. Chapman of counsel for the defendants in error.

William Tregea.
1056. vs. Pff. in Error.
The Board of Directors of the Modesto Irrigation District.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. A.L. Rhodes, in support of the same, and Mr. C.J. Sumner and Mr. Thomas B. Bond, in opposition thereto.

Howard M. Hamblin.
1042. vs. Pff. in Error.
The Western Land Co.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John L. Work, in support of the same and Mr. W.L. Joy, in opposition thereto.

William K. Palmer et al.
1248. vs. Pff. in Error.
Mary K. Barrett.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record & printed arguments by Mr. Hugo Hirsh and Mr.

Henry J. Raequin in support of the same and Mr. H. E. Drewsen and Mr. W. L. Evans in opposition thereto.

James Steel, Administrator etc. vs. The Phoenix Insurance Co. of Brooklyn. — Appellant. — The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by Mr. L. B. Cox, in support of the same, and Mr. George A. Williams, in opposition thereto.

1200.

William Gardner, W. W. Unger, George Staub and Robert Linton. vs. The Commonwealth of Pennsylvania. — Plffs. in Error. — In Error to the Supreme Court of the State of Pennsylvania.

587

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore,

in pursuance of said authority, It is therefore ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

Richard P. Bardon et al. vs. Pltfs. in Error.
908. The Northern Pacific R.R. Co.

It is ordered by the Court that three counsel be allowed to appear for each side, and one hour additional be allowed each side on the argument of this cause.

Richard P. Bardon et al. vs. Pltfs in Error.
908. The Northern Pacific R.R. Co.

The argument of this cause was commenced by Mr. Assistant Attorney General Shields, on behalf of the plaintiff in error, and continued by Mr. James Mc. Naught, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January 16th 1883

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Stephen J. Field
Horace Gray,
Samuel Blatchford Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

[redacted]

The Chief Justice said:

It again becomes my mournful duty to announce the death of a member of this Court. Mr. Justice Lamar died at Macon Georgia last evening at eight fifty o'clock. No business will be transacted but the Court will now adjourn until Monday next.

[redacted]

Proclamation being made the Court is adjourned until Monday next, at Twelve o'clock.

Monday. January, 30th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable David J. Brewer, Associate Justice.
John W. Wright Esquire, Marshal
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

Mr. Justice Brewer said:

The funeral services of one of our most distinguished citizens, James G. Blaine, will take place at this hour and in order to enable the Justices of this Court to attend and pay their respect to his memory a recess will be taken until two o'clock p. m.

Pursuant to the foregoing announcement the Court re-assembled.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.

Henry B. Brown
George Shiras Jr.
John W. Wright Esquire, Marshal.
James H. McKenny, Clerk

On motion first made to the Court in the behalf by Mr. Attorney General Miller it is ordered that Simon Hall Esquire of Toledo State of Ohio and Charles W. Russell Esquire of Wheeling State of West Virginia be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. C. B. Mitchell it is ordered that Henry M. Hoyt Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. Solicitor General Aldrich it is ordered that Duncan Mc. Dougall, Esquire, of Ottawa, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S Smith it is ordered that Patrick Reddy, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Henry D Mc. Donald, Esquire, of Sana, State of Peru, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

W. P. Clement, W. B. Clement & Charles Bustis partners, doing business under the firm name & style of Clement, Bustis & Company.

vs.

C. D. Field and Alexander Magee partners doing business under the firm name and style of C. D. Field and Company.

111. Plaintiffs in Error.

In Error to the Circuit Court of the United States for the District of Nevada.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment of the said Circuit Court be and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

The United Lines Telegraph Company & Edward S. Stokes. Appellants. vs. The Boston Safe Deposit and Trust Company. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Dissenting: Mr. Justice Field

Edward H Howes. On a certificate from the United
vs. Off in Error. States Circuit Court of Ap-
The United States peals for the Second Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the second Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the three questions certified must be and they are hereby answered in the affirmative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals

per Mr. Justice Blatchford.

The San Pedro y Cañon del
Agua Company.
vs. Appellant
The United States.

On consideration of the application for a modification of the decree entered herein by this Court, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that the said application be, and the same is hereby

dismissed, without prejudice to any right of the plaintiff to obtain from the Land Department a new survey and patent

per the Chief Justice Sutton

William Duggan.
vs.
The Board of Directors of the Medicine Irrigation District

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits

per the Chief Justice Sutton.

The Lethbridge Northwestern Irrigation Company.
vs.
John Featherstone et al.

On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause, It is now ordered by the Court that the mandate issue on February 6th next unless further cause to the contrary be shown

per the Chief Justice Sutton.

160. James Steel, Administrator etc. vs. The Phoenix Insurance Company of Brooklyn. Appellant.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of William H. Gaines, Albert B. Gaines, as Executor of the last will & testament of Warren Gaines, deceased, William H. Gaines, Jr., Fanny E. Williamson, Lorena Randell, Augusta Hill, Mary B. Gaines, and Albert B. Gaines.

12. Original. Petitioners.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Monday, January 20th 1896. Continued.

Ex parte: In the matter of William H. Gaines, Albert B. Gaines, as Executor of the last will & testament of Marica Gaines deceased, William H. Gaines Jr. Fanny G. Wilkinson, Louisa Blasdell, Augusta Still, Mary B. Gaines and Albert B. Gaines

vs Original Petitioners

Our consideration of the petition of the above named petitioners,

It is now here ordered by the Court that cause be shown by the Honorable Henry C. Caldwell, as Judge of the United States Circuit Court for the Western Division of the Eastern District of Arkansas when this Court at Washington, on Monday the 24th day of March 1896 at 10 o'clock then of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

Jere. Wilson, Chief Justice Supreme Court.

Ex parte: In the matter of William H. Gaines, Albert B. Gaines, as Executor of the last will and testament of Marica Gaines, deceased, William H. Gaines, Jr., Fanny G. Wilkinson, Louisa Blasdell, Augusta Still, Mary B. Gaines and

Albert B. Gaines.

3 Original. Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of William H. Gaines, Albert B. Gaines as Executor of the last will & Testament of Maria Gaines deceased, William H. Gaines Jr. Fanny G Williamson Louisa Blundell Augusta Hall, Mary B. Gaines & Albert B. Gaines.

3 Original. Petitioners.

On consideration of the petition of the above named petitioners:

It is now here ordered by the Court that cause be shown by the Honorable Henry C. Caldwell, as Judge of the United States Circuit Court for the Western Division of the Eastern District of Arkansas before this Court at Washington on Monday the 6th day of March 1893, or as soon thereafter as counsel can be

heard, why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

Ex parte. In the matter of John L. Smithers. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

John L. Smithmeyer et al. vs. The United States. Appellants. On motion of Mr. Solicitor General Aldrich, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause

270

The United States. vs. Frank W. Powers. Appellant. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth

277

Circuit were submitted to the consideration of the Court on printed arguments by Mr. Assistant Attorney General Maury in support of the same, and Mr. Thomas Nash Jr. in opposition thereto.

875 James K. Gregory et al vs. Pltfs in Error. In Error to the Corporation Court of the City of Lynchburg, Virginia.
John W. Bramsford, Treasurer etc, et al.

This cause having been called to the attention of the Court by Mr. R. Taylor Scott of counsel for the defendants in error and he having stated to the Court that the matters in controversy herein have been settled, and that the plaintiffs in error consent to a dismissal. Therefore It is now here ordered and adjudged by the Court that the writ of error in this cause be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Joseph Lawson & als. — In Error to the Corporation Court of the City of Lynchburg Virginia.

178 — vs. — Pltf. in Error.

John W. Crawford, Treasurer etc. & al. — Defendants in Error.

This cause having been called to the attention of the Court by Mr. C. Taylor Scott, of counsel for the defendants in error, and he having stated to the Court that the matters in controversy herein have been settled and that the plaintiffs in error consent to a dismissal. Therefore it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

L. B. Litchford & als. — In Error to the Corporation Court of the City of Lynchburg, Virginia.

179 — vs. — Plts. in Error.

W. S. Day, Sergeant etc. — Defendant in Error.

This cause having been called to the attention of the Court by Mr. C. Taylor Scott, of counsel for the defendant in error, and he having stated to the Court that the matters in controversy herein have been settled and that the

plaintiff in error consent to a dismissal. Therefore it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

W. W. Larkin. In Error to the Circuit
vs. Pltf. in Error. Court of the City of Rich-
John W. Bransford, mond, Virginia.
Treasurer etc.

This cause having been called to the attention of the Court by Mr. R. Taylor Scott, of counsel for the defendant in error, and he having stated to the Court that the matters in controversy herein have been settled and that the plaintiff in error consents to a dismissal. Therefore, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

John Cameron. Mr. James A. Carter, of
vs. Appellant. counsel for the appellant.
The United States. submitted to the court.

cration of the Court a motion to vacate & set aside the decree of dismissal entered herein on the 19th day of December, 1881.

Charles McSulire & Others. &c. vs. Effie M. Brown. Edwin A. McSulire et al.

The motion in the cause was submitted to the consideration of the Court on printed arguments by Mr. J. S. Henkle, in support of the same, and Mr. J. M. Wilson, Mr. Calderon Carlisle and Mr. W. O. Johnson, in opposition thereto and leave was granted counsel for the plaintiff in error to file a supplemental brief.

Ex parte: In the matter of The Habersham Manufacturing Company. Petitioners.

Mr. C. B. Mitchell of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus.

The Mississippi Mills et al. vs. Appellants. Simon Cohn et al.

Mr. William A. McKenney in behalf of counsel for the

appellants, suggested the death of Jos. Wood of the firm of Wood and Lee, appellants herein, and moved the Court to make William H. Lee Administrator of the partnership estate of Wood and Lee a party appellant in this cause. Whereupon, It is now here ordered by the Court that the said William H. Lee Administrator of the partnership estate of Wood and Lee, be, and he is hereby, made a party appellant in this cause.

Charles Hofmayhoff. vs. Eff. in Error J. D. Edwards etc. 356

On motion of Mr. William A. McKenney, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

The State of Maryland. Complainant. vs. The State of West Virginia. Defendant.

On motion of Mr. Frederic D. McKenney, in behalf of counsel. It is ordered by the Court that the time to file the answer of the defendant herein be extended to the third Monday of February, as per stipulation of counsel.

Ex parte: In the matter of The Commonwealth of Virginia. Petitioner.

No. 7 Original.

This cause was submitted to the consideration of the Court on printed arguments by Mr. R. Taylor Scott, of counsel for the petitioner, and Mr. Assistant Attorney General Maury, of counsel for the respondent.

Richard P. Barden et al. vs. Pipe in Error. The Northern Pacific Railroad Company.

No. 108.

The argument of this cause was continued by Mr. James McNamara, of counsel for the defendant in error, and Mr. W. G. Morris, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the order by Mr. James C. Carter it is ordered that Edwin A. Allen, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

198. Thomas E. Tearsall, Designee &c. to David W. Smith et al — Appellant — Mr. Edwin A. Allen, of counsel for the appellant, suggest-

ed the death of Richard L. Jones one of the appellees, and moved the Court to revive Frances A. Jones, Executrix of the said Richard L. Jones a party appellee hereto. Whereupon, It is now here ordered by the Court that the said Frances A. Jones, Executrix of the said Richard L. Jones, deceased &c. and she is hereby made a party appellee in the cause.

Richard C. Barlow et al. vs. The Northern Pacific R.R. Co. 908 Ellis in Error.

The argument of the cause was continued by Mr. James C. Carter of counsel for the defendant in error, and concluded by Mr. Attorney General Tuttle on behalf of the plaintiffs in error.

The Northern Pacific R.R. Co. vs. Charles S. Walker, County Auditor, et al. 124 Appellant.

The argument of the cause was continued by Mr. G. W. Dudley, of counsel for the appellant, & concluded by Mr. S.L. Glasgell, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, February, 21, 1872.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Maura it is ordered that John P. Crozdale, Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that James Wyatt Oats, Esquire, of South Dora

State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. James O. Brandstad it is ordered that Mr. Geo. B. Lay Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Columbia Southern Railway Company.
108. vs. Pff. in Error.
William O. Wright, Comptroller General etc.

L. G. Hemmingslow
141. vs. Pff. in Error.
The State of Georgia.

Mr. C. S. Lester in behalf of counsel for the defendants in error submitted to the consideration of the Court motions to advance these cases.

The Northern Pacific R.R. Co.
124. vs. Appellant.
Charles S. Wacker, County Auditor et al.

The argument of this cause was continued by Mr. S. E.

Crawford, of counsel for the appellee Mr. James Mc. Vaught, of counsel for the appellant, and concluded by Mr. C. M. Dudley, of counsel for the appellant.

No. 27. George A. Cotterow et al. vs. The United States. Plff. in Error.

The argument of this cause was commenced by Mr. Walter H. Smith, of counsel for the plaintiffs in error, and continued by Mr. Charles M. Russell, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Thursday, February 2d, 1871.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice

Stephen J. Field.

Horace Gray.

Samuel Blatchford. Associate

David J. Brewer. Justices

Henry B. Brown.

George Shiras, Jr.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Miller it is ordered that J. M. McBurney, Esquire, of Washington, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Outhwaite it is ordered that Theodore Hall, Esquire, of Montalvita, State of

Ohio, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this today by Mr. W B Hornblower it is ordered that William Cunningham, Esquire, of Paterson, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

W A Robertson, Collector etc vs. Geo. L. Otterbury. In Error.

On motion of Mr. Benjamin Parker Jr. in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

In parte: In the matter of The American Construction Co. Petitioner.

vs

In parte: In the matter of The American Construction Co. Petitioner.

Mr. W. B. Hornblower, of counsel for the petitioner submitted to the consideration of the Court motion for leave

to file petitions for writs of mandamus to cer-
tiorari herein and for a Stay of Proceedings

In part: In the matter of
The American Construction Co.
Petitioner
vs
In part: In the matter of
The American Construction Co.
Petitioner.

On motion it-
ordered by the Court
for leave to file
the petitions for
writs of man-
damus or cer-
tiorari to the United
States Circuit
Court of Appeals for the Fifth Circuit and for a
Stay of proceedings under the mandates of
said Court in the cases of The American Con
struction Co. vs The Jacksonville Tampa and Key
West Railway Co., et al, and The Pennsylvania
Company for Insurance on Lives, and for grant-
ing Annuities, vs The Jacksonville, Tampa, and
Key West Railway Co., et al.

It is now here ordered by the Court that
leave to file said petitions be granted and
a Stay of proceedings under said mandates
in said cases be, and the same is hereby,
granted, and counsel for the above named
petitioners are directed to serve notice on Offic-

ing counsel of a renewal of the motion for writs of mandamus or certiorari returnable on March 6th next, but leave is hereby granted such applying counsel to move to vacate the order on telegraphic notice to counsel for petitioner on or before the 5th inst. and. Counsel for the petitioners are hereby directed to serve notice of this application and a copy of this order by telegraph.

per Mr. Chief Justice Fuller.

George A. Matthews et al. vs. Pepper. in Error. The United States.

1241. The argument of this cause was continued by Mr. Charles W. Russell and Mr. Attorney General Miller, of counsel for the defendant in error, and concluded by Mr. Patrick Reddy, of counsel for the plaintiffs in error.

Henry B Shields vs. Appellant. Robert E. Mc. Auley et al

128. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause having been called for hearing on

the regular order and an authority of counsel for the appellants to dismiss the cause having been filed. Therefore in pursuance of said authority it is now here ordered adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs

per Mr. Chief Justice Waite.

Henry B Smith et al
vs
Robert E. McAuley et al

Appeal from the Circuit Court of the United States for the District of Pennsylvania.

24

This cause having been called for hearing on the regular order and an authority of counsel for the appellants to dismiss the cause having been filed. Therefore in pursuance of said authority it is now here ordered adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Alexander M. Byers Assee etc
vs
Robert E. McAuley et al

Appellant

This cause was argued by Mr. A. G. Cattell of counsel for the ap-

24

Dora Mc. Auley et al. vs. Appellants.
130. Robert E. Mc. Auley et al.

fellow, and submitted on printed arguments by Mr. N.S. Watson, of counsel for the appellant in No. 130, Mr. I. Schoyer, Jr. by Mr. W. Mc. Watson of counsel for the appellants in No. 130, and Mr. Thomas Patterson and Mr. George L. Burgwin of counsel for the appellee in No. 124.

David Lehman. Plff. in Error.
125. vs.
Newton Dickson.

The argument of this cause was commenced by Mr. O.P. Dyer, of counsel for the plaintiff in error, and continued by Mr. James O. Brentlinger of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday February 3rd 1843

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Nicholas W. Clifford Chief Justice.

Stephen C. Foster

Ezekiel Wiley.

Samuel Whitcomb. Associate

David C. Graves Justices

Henry W. Bowers.

Edward Kent Esq.

John W. Wright Esquire Marshal

James A. Mc. Henry. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. S. Kent it is ordered that Joel W. Watkins, Esquire of Dutch, State of Tennessee be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that John P. Caples Esquire of Portland State of Ma

now, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Swan it is ordered that Hallam B. Worthington, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Peirce it is ordered that Silas Norman, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. James Buchanan it is ordered that Edward Kinny and Alexander Grant, Esquires, of Newark, State of New Jersey, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

Our motion just made to the Court in this no. say by Mr. Solicitor General Aldrich it is ordered that William Coors Esquire of Baltimore State of Maryland and Wallace Beckman Esquire of Chicago State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

David Adams
vs. Pltf in Error
Hudson Nicholson.

The argument of this cause was continued by Mr. James O. Broadhead of counsel for the defendant in error and concluded by Mr. W. C. Rives of counsel for the plaintiff in error.

The New York Lake Erie & Western Railroad Co.
vs. Pltf in Error
Wallace Bates et al.

This cause was argued by Mr. Samuel Shellabarger of counsel for the plaintiff in error, and Mr. W. H. H. Williams, and Mr. John Carpenter of counsel for the defendants in error.

Order and adjournment being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 6th, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

B. A. Shunk, ... In Error to the Circuit
vs. ... Eff. in Error. ... Court of the United
The Mobile Militia Art ... States for the District
Stoddart Company. ... of Nebraska.

1163

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered and adjudg-

ed by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that such judgments bear in the Courts of the State of Nebraska.

per Mr. Justice Brown.

Dissenting:

Mr. Justice Brewer.

Hicks Arnold, James L. Constable & Frederick A. Constable constituting the firm of Arnold, Constable & Co. v. The United States.

Appeal from the Circuit Court of the United States for the Southern District of New York.

635

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

Howard M. Hamblin... In Error to the Su-
1042. vs. Pff. in Error. preme Court of the
The Western Land Company. State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Ex parte: In the matter of The Haberman Manufacturing Company. ... Petitioner. ... On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Justice Blatchford.

Monday, February 6th, 1893. Continued.

Edwin Bowerow. Appellant
vs. vs.
The United States.

On consideration of the motion to recall and set aside the decree of dismissal entered herein on the 19th of December, 1892, and of the argument of counsel in support of the same.

It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause reinstated on the docket with leave to counsel to file additional printed briefs, if desired, on or before March 4th next.

per Mr. Chief Justice Fuller.

William H. Palmer et al. Plffs in Error
vs. vs.
Mary A. Barrett.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Charles Mc. Sutro Jr. Adms &c. Plffs in Error
vs. vs.
Edwin A. Mc. Sutro et al.

On consideration of the motion to dis-

mas herein and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The United States. vs. Appellant. Frank W. Parker. — On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

1081. The Columbus Southern Railway Company. vs. Plff. in Error. William A. Wright Comptroller General &c. — On consideration of the motions to advance these cases, it is now here ordered by the

1081. L. G. Hennington. vs. Plff in Error. The State of Georgia. — ordered by the

Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

C. B. Harper.
vs. In Error.
The People of the State of California.

It is ordered by the Court that this cause be restored to the docket for oral argument.

per Mr. Chief Justice Fuller.

Richard T. Wardner et al.
vs. In Error.
The Northern Pacific Railroad Company.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for argument before a full bench.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company.
vs. Appellants.
Charles S. Walker, County Auditor et al.

It is ordered by the Court that the United States Circuit Court of Appeals for the Eighth Circuit send up the whole record and cause to this Court for consideration and

that a writ of certiorari issue accordingly.

per Mr. Chief Justice Fuller.

The Continental Steamboat Co. — In Error to the Circuit
22. vs. — Dft. in Error. — Court of the United States
John H. Burke Administrator — for the District of
of Timothy Kelly, deceased. — Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest due to be paid, at the same rate per annum that similar judgments bear in the Courts of the State of Rhode Island.

Jane V. Pharis & Son. — In Error to the Su-
1080. vs. — Dft. in Error. — preme Court of the
The City Council of — State of Alabama.
Montgomery.

Monday, February 9th, 1885. Continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and on motion of Mr. Lines on appeal, which was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Joshua Barnell, as Assignee. Appeal from the Su-
vs. Appellant. preme Court of the
Patrick H. Kinney. Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho for further proceedings not inconsistent with this

opinion of the Court.

per Mr. Chief Justice Fuller.

David S. Stanley, W.R. Gibson
J.C. Cushing, J.D. Daly, and
The United States of America.
vs.
Mary U. Schwalby, J.A. Schwalby and Joseph Spence Jr.

In Error to the Supreme Court of the State of Texas.

Plffs. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Gray.

Monday, February 27th, 1911. Continued.

The United States
No. 10 vs. Appellant.
Frank Bates.

This cause was submitted to the consideration of the Court on the record and printed arguments by the Solicitor General, Counsel of record for the appellant, and Mr. Bruce Bromley and Mr. George A. King and Mr. William B. King of counsel for the appellee.

Frank Keene.
No. 107. vs. Writ of Error.
Richmond Irving Bowes, Administrator, &c.

On motion to dismiss or affirm this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Enoch Totten, in support of the same, and Mr. Walter D. Davidge and Mr. S. T. Thomas, in opposition thereto.

William H. Brandon
No. 10 vs. Writ of Error.
Anthony E. Laborgo, Collector of Customs for the Port and District of Chicago.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called in the regular

of the Court by Mr. H. B. Brennan, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Ex parte: In the matter of Albert Frederick, Appellant. Mr. Frederic D. McKenney, of counsel for the appellant, submitted to the consideration of the Court a motion for leave to docket this cause and proceed in forma pauperis, and that the transcript of record be printed at public expense, and a motion to advance this cause. Whereupon It is ordered by the Court that said motions be postponed to Monday, March 4th next, and notice of the same is ordered to be served on the Attorney General of the State of Washington.

The Rock Island Refining Co. Ordered by the
Workmen Company Court that the Rock
197 vs. Appellant. issue the mandate
Gotlieb Eastmanbrook et al. on this order.

Henry Dunn. The motion to dismiss
208 vs. City of Boise the cause was submitted
& Barnes Mc Cabe. to the consideration of the
Court on the record and
printed arguments by Mr. E. C. Richardson on
behalf of the plaintiff, and Mr. Henry Lafayette
on behalf of the defendants.

The Lapham-Hodges Co. Appeal from the Circuit Court
240 vs. Appellant of the United States for
Henry Lawson et al. the District of Indiana.

It appearing to the Court that an authority
of counsel for the appellant to prosecute the same
has been filed. Therefore on reference of said
authority, It is now here ordered adjudged and
decreed by the Court that the appeal be, and
the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

Max Rosenthal.
3. vs. Appellant.
Kersey Coates, Assignee etc.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Georgen Scully of counsel for the appellant and Mr. D. W. Brunk Jones, of counsel for the appellee.

Order.

It is ordered by the Court that mandates issue in all cases decided prior to January 1st, 1893, when applied for except in cases dismissed and dismissed under the ninth rule, and in cases Nos. 419, 608, 609, 987, 988, 989 and 990.

per Mr. Chief Justice Fuller.

On motion duly made the Court is adjourned until Saturday, March 4th 1893, at eleven o'clock.

Saturday, January 4th 1873.

Ordered to adjourn until the Court sit to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Stephen J. Field.

Horace Gray.

Samuel Blatchford. Associate

David J. Brewer. Justices

Henry B. Brown.

George Shiras Jr.

Howell E. Jackson.

John M. Harlan Former Associate Justice.

James M. Ashley. Attorney.

Proclamation being made the Court is opened.

The Honorable Howell E. Jackson appeared and produced the following Letters Patent and Oath of Office, which were read in open Court and ordered to be recorded upon the minutes, viz:

Benjamin Harrison

President of the United States of America.

To all who shall see these Presents: Greeting.

Know Ye, That reposing special trust and co-

fidence in the Wisdom Uprightness and Learning of Howell E. Jackson, of Tennessee I have nominated, and, by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that Office, according to the Constitution and Laws of the said United States; and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining unto him, the said Howell E. Jackson during his good behavior.

In Testimony whereof, I have caused these Letters to be made patent, and the seal of the Department of Justice to be hereunto affixed.

Given under my hand at the [Seal] City of Washington the 18th day of February in the year of our Lord one thousand eight hundred and ninety-three, and of the Independence of the United States of America the one hundred and seventeenth.

Benj. Harrison.

By the President:

H. M. H. Fuller

Attorney General

I, Howell E. Jackson, do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign & domestic: that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion: and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Howell E. Jackson.

Subscribed and sworn to
before me this 4th day of
March, A.D. 1893.

Melville W. Fuller.
Chief Justice of the United States.

I, Howell E. Jackson, do solemnly swear that I will administer justice without respect to persons, and do equally right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the [illegible]

incumbent on me as Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding agreeably to the Constitution and laws of the United States: So help me God.

Howell E. Jackson.

Subscribed and sworn to
before me this fourth day
of March, A.D. 1893.

Seal S. James H. McKenney,
Clerk of the Supreme Court
of the United States.

On motion first made to the Court in this behalf by Wm. Penn J. Nall it is ordered that Roy E. Palmer, Esquire, of Mount Pleasant, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Court attended the inauguration of the Honorable Grover Cleveland, President of the United States.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, March 6th, 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Stephen J. Field. }
Strong. }
Samuel Miller. }
Noah H. Swayne. } Associate
Henry B. Brown. } Justices
Stanley Matthews. }
Horace Gray. }
Samuel F. Phillips. }

John F. Wright Esquire Marshal.
James H. Peter Esquire Clerk.

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr. W. E. Hilton it is ordered that John Goby Esquire of Saratoga Springs State of New York be admitted to practice as an attorney and counsellor of this Court and to be sworn accordingly.

On motion filed made to the Court on his behalf by Mr. Solicitor General Marshall it is ordered that John Barlow Hayne Esquire of the

ays. State of Illinois William H Safford and Lewis Case Lockyear Esquires of New York City and John E Stone Esquire of Guthrie Territory of Oklahoma to admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. C. Oates it is ordered that Henry A. Barlow Esquire of Eufaula State of Oklahoma to admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sidney Webb it is ordered that Joseph J. Dunne Esquire of San Francisco State of California to admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr. E. O. Wolcott it is ordered that Joel F. Vaile Esquire of Denver State of Colorado to be admitted to practice as an attorney and

counsellor of this Court and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr. Thomas Thacker it is ordered that John W. Simpson, Esquire, of New York City, and Charles W. Foster, Esquire, of Jacksonville, State of Florida, be admitted to practice as attorneys and counsellors of the Court, and they were sworn accordingly.

On motion duly made to the Court in this behalf by Mr. Alpheus Hyatt it is ordered that J. M. Wilson, Esquire, of Hamilton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr. Stephen M. White it is ordered that James G. Maguire, Marcus Rosenbaum, and J. J. Dwyer, Esquires, of San Francisco, R. F. del Valle, and Henry T. Gage, Esquires, of Los Angeles, and Frank T. Baldwin, Esquire, of Stockton, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were

sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dove it is ordered that L. C. Dawes Esquire of Washington City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that G. W. Etheridge Esquire of Dallas, State of Texas, Charles B. Warner and Joseph W. Hill Esquires of Fort Smith, State of Arkansas, and D. P. Orr Esquire of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Woodbury Blair it is ordered that Hal Blair Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Hayes it is ordered that Nicholas E. Noble Esquire, of the State of Iowa and W. C. Dawson Esquire, of Cuyahoga State of Ohio be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. A. Barrett it is ordered that Granville W. Johnson Esquire, of Clearwater State of North Dakota be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. J. Bryan it is ordered that Theodore P. Hudson Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Hornblower it is ordered that John W. Weed, Esquire, of New York City be ad-

mitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh Butler it is ordered that Hall Rogers Esquire, of Denver State of Colorado, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.B. Browne it is ordered that G.L. Herbert Esquire of Ardmore and Clifford L. Jackson Esquire of Muskogee Indian Territory be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Barle it is ordered that Edwin L. Abney Esquire of Newberry, State of South Carolina, and Edward F. Duffy Esquire of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of

the Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. J. W. Crebbs it is ordered that Thomas Curtis and B. V. St. John Esquires of the State of Tennessee be admitted to practice as attorneys and counsellors of the Court. and they were sworn accordingly.

Eugenia A. Royal. Executrix
of Edward A. Royal, deceased. Appeal from the
No. v. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by the Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Shiras.

B. Marx. In Error to the Circuit Court
128. vs. Pff in Error of the United States for the
Ida J. Hamilton. District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

(Mr. Justice Brewer did not sit in this case, nor take any part in its decision).

The United States.
252. vs. Appellant Appeal from the
Emmetta M. Alexander Court of Claims.
and Sophia L. Lake.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged

by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr. Justice Strong.

The United States. Appeal from the
116. vs. Appellants. Court of Claims.
George Truesdell.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Strong.

The United States Appeal from the
536. vs Appellant. Court of Claims.
John R. Garner.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consider-

show whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

per Mr. Justice Brown.

The United States. Appeal from the Circuit Court
783. vs. of the United States for the
Thomas Fletcher. Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to enter a new judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States } Appeal from the District Court
vs. } of the United States for the
Henry Strauss. } District of Rhode Island.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Strong.

The United States. } Appeal from the District Court
vs. } of the United States for the
Richard Jones. } Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause

be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to reduce the judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States ..... Appeal from the
1194 ... vs. ... Appellants ..... Court of Claims.
Marion Brown.

This cause came on to be heard on the transcript of the record from the Court of Claims, & was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

The United States. Appeal from the District Court
425 vs. Appellant. of the United States for the
K. H. King. Southern District of Georgia.

This cause came on to be heard on the trans-

cript of the record from the District Court of the United States for the Southern District of Georgia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to reduce the judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States. Appeal from the
673 vs. Appellant. Court of Claims.
John W. Haynes

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded

to the said Court of Claims with directions to reduce the judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

The United States. Appeal from the District Court
vs. of the United States for the
Almon Hall. Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to reduce the judgment in conformity with the opinion of this Court.

per Mr. Justice Brown.

Monday March 6th, 1848 Continued.

The United States
vs. Appellants
Stephen C. McCaleb

Appeal from the
Court of Claims.

700

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, & the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Grier.

The United States
vs. Appellant.
Henry H. Taylor.

Appeal from the Circuit Court
of the United States for the
Eastern District of Tennessee.

795

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered ad-

judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

David May & Troops Hirsch. Appellants. vs. Daniel K. Tenney. Appellee.

Appeal from the Circuit Court of the United States for the District of Colorado.

99.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Brewer.

	The United States	Appeal from the United
1078	vs.	States Circuit Court of Ap-
	The California & Oregon	peals for the Ninth Cir-
	Land Company.	cuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Oregon.

per Mr. Justice Brewer.

	The United States.	Appeal from the United
59	vs.	States Circuit Court of
	The Dallas Military Road	Appeals for the Ninth
	Company et al.	Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit

Court of Appeals for the Ninth Circuit and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby affirmed: and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the District of Oregon.

per Mr. Justice Brewer.

The Commercial National Bank of Salem.

vs. Appellant.

David Armstrong, Receiver of the Fidelity National Bank of Cincinnati.

&

David Armstrong, Receiver of the Fidelity National Bank of Cincinnati.

vs. Appellant.

The Commercial National Bank of Salem.

Appeals from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Southern District of Ohio on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, each appellant to pay the costs of his appeal.

per Mr. Justice Brewer.

David Lehman. In Error to the Circuit Court
vs. Pff. in Error. of the United States for the
Newton Dickson. Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri

The City of St. Louis. In Error to the Circuit Court
vs. Pff in Error. of the United States for
The Western Union Tele- the Eastern District of
graph Company. Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

Dissenting:
Mr. Justice Brown.

The New York, Lake Erie & Western R.R. Co. In Error to the Cir-
vs. Pff in Error. cuit Court of the
Wallace Bohl, Trish H. Elliott & William United States for
Bohl & Everett Leonard, Charles S. Leonard the Western Dis-
William H. Leonard & Abel Leonard. trict of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgments of the said Circuit Court be and the same are hereby, affirmed as to the amounts of damages awarded, viz: in the Ostill case $8,750, and in the Leonard case $14,000, but not as to the amounts of interest awarded. And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter judgment for the plaintiffs for the sums of $8750 and $14000, respectively, being the damages assessed by the jury, with interest on such judgments from the time they shall be entered until they are paid, and for the costs and charges of the plaintiffs in the Circuit Court. The costs of this Court, of the plaintiff in error and the defendants in error shall be paid one-half by the plaintiff in error, and the other half by the defendants in error

per Mr. Justice Blatchford

The Lowell Manufacturing Company, Limited.
vs. Appellant.
Hanson Carey & Edward A. Moen.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

No. 110.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with a direction to dismiss the bill with costs.

per Mr. Justice Blatchford.

(Mr. Justice Brewer did not sit in this case or take any part in its decision).

Henry Hayes, Administrator of George Hayes deceased
19. vs. Appellant.
Dundas T. Pratt, Executor of George Hayes, deceased, & The Hayes Mechanics' Home

Appeal from the Circuit Court of the United States for the District of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, amended by directing payment to Dundas T. Pratt, as Executor, instead of as Treasurer of The Hayes Mechanics' Home, and as so amended, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of New Jersey.

Per Mr. Justice Gray.

(Mr. Justice Shiras not having been a member of the Court when this case was argued, took no part in its decision).

Francis S. Fellas
vs. Appellant.
Gilbert M. Richardson.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

(Mr. Justice Lucas not having been a member of the Court when this case was argued took no part in the decision).

Mrs. Mary Louise Warren
Fellas.
vs. Appellant.
Gilbert M. Richardson, Albert E. Wallace, Frank Hoffman et al.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the trans-

cript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

Mr. Justice Shiras was not hearing this case (a member of the Court when this case was argued, but took no part in its decision).

Dolores V. Arteaga, Juan O. De Cayuna, Francisco Cayuna et al.

vs.

The Santa Rita Land & Mining Company and The New Mexico & Arizona Railroad Company.

Appeal from the Supreme Court of the Territory of Arizona.

No. 15.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this

Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

J. P. Bausermaw, Administrator of the estate of James E. Blunt, deceased
vs.
Elbridge E. Blunt.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Gray.

George B. Finney et al.		On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit.
117.	vs. Appellants.	
E. August Eisele et al.		

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Gray.

Ex parte: In the matter of The Commonwealth of Virginia.		Petition for a writ of mandamus.
7 Original.	Petitioner	

On consideration of the petition for a writ of mandamus, the return to the rule to show cause issued herein, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered

by the Court that the writ of mandamus to remand the indictment and prosecution of the Commonwealth of Virginia against Joseph H. Carrico to the County Court of Smyth County be, and the same is hereby, granted.

per Mr. Justice Gray.

Theodore G. Morello. vs. James A. C. Sherwood

Appellant.

Appeal from the Circuit Court of the United States for the District of Nebraska.

109.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Blatchford

The United States

118. vs Appellant

Bird L. Fletcher. Appeals from the Court of Claims

&

Bird L. Fletcher

119. vs Appellant

The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with a direction to dismiss the petition.

per Mr. Chief Justice Fuller

announced by Mr. Justice Blatchford.

L.L. Payton and L.A. Caldwell. Appeal from the

112 vs. Appellants. Supreme Court

Alfred Brown and Ellis of the Territory of

Ely Young. Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be and the same is hereby remanded to the Supreme Court of the State of South Dakota for further proceedings in conformity to law.

Per Mr. Chief Justice Fuller.

(announced by Mr. Justice Brewer).

The Washington & Georgetown Railroad Company and Henry Hurt.

vs.

Leon Fobriner, Administrator of John H. Harmon, deceased.

In Error to the Supreme Court of the District of Columbia.

No. Plffs. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now

here ordered by this Court that if the defendant in error shall within a reasonable time during the present Term of this Court produce and file a certified copy of a mandate of the mitted in the Supreme Court of the District of Columbia the judgment, less the interest will be affirmed: but if this is not done, it will be reversed. In either event the costs must be paid by the defendant in error.

per Mr. Chief Justice Fuller.

Announced by Mr. Justice Blatchford.

Mr. Justice Brewer did not hear the argument and took no part in the decision of this case.

George A. Settlemier, John Murphy, Michael L. Devine & C. Sinclair,		In Error to the District Court of the United States for the District of Idaho.
241	vs.	
The United States	Pffs. in Error.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

District Court in this cause be, and the same are hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with direction to quash the indictment and discharge the defendants.

per Mr. Chief Justice Fuller.

Announced by Mr. Justice Blatchford.

Dissenting:
Mr. Justice Brewer &
Mr. Justice Brown.

187. Edward Roby, Plff. in Error, vs. Charles W. Colcord.
988. " " " " " " " " " " " " Def'ts.
989. " " " " " " " " " " " " " "
990. " " " " " " " " " " " " " "

It is ordered by the Court that the mandate issue in the above entitled cases when applied for.

per Mr. Justice Field.

The United States. } This cause was submitted
vs. Appeal. } to the consideration of
Aaron S. Post. } the Court on the record
and printed arguments

By Mr. A. M. Poole of counsel for the appellant & Mr. Charles King, Mr. George B. King and Mr. William B. King, of counsel for the appellee.

William Deering. Mr. C. H. Aldrich on
378. vs. Appellant behalf of counsel sub-
The Wm. Harvester mitted to the consid-
Works et al. eration of the Court
a motion for leave to
incorporate in the transcript of record in the cause certain matter from the transcript of the record in the case of William Deering, Appellant vs. The Wm. Bormick Harvesting Machine Co.

George B. Wilson Mr. C. H. Aldrich, in behalf
1284 vs. Pff. in Error of counsel for the plain-
The United States. tiff in error submitted
to the consideration of
the Court a motion to advance this cause.

Rufus B. Graves Mr. C. H. Aldrich, in be-
1297 vs. Pff. in Error half of counsel for the
The United States plaintiff in error, sub-
mitted to the consider-
ation of the Court a motion to advance this

The Pennsylvania Company. vs. Pff. in Error. George L. Bunder, Admr. &c. 1142.

On motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. R. Critchfield in support of the same, and Mr. L. L. Gilbert, in opposition thereto.

David L. Stanley et al. vs. Pffs. in Error. Mary M. Schwalby et al. 995.

On motion of Mr. O. H. Garland, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The State of Maryland, Complainant. vs. Original. The State of West Virginia.

Mr. C. J. Faulkner, in behalf of counsel for the defendant, filed the answer of the defendant and on his motion leave was granted the defendant to file a cross-bill herein within sixty days.

Passavant and Co. This cause was submitted
1118 vs. Appellants to the consideration of the
The United States. Court on the record and
printed arguments by Mr.
Edwin B. Smith, of counsel for the appellants, and
Mr. Assistant Attorney General Parker of coun
sel for the appellee.

The State of Iowa. Mr. Wm. J. Lewis
5. Original vs. Complainant. in behalf of coun
The State of Illinois. sel, submitted to
the consideration
of the Court a motion for the appointment of com-
missioners to fix the boundary line, as per stip
ulation of counsel.

George A. Pettibone et al. On motion of Mr.
341. vs. Pffs. in Error. Walter H. Smith
The United States. of counsel for the
plaintiffs in error,
leave is hereby granted the Clerk to issue the
mandate in this cause.

Ex parte: In the matter of W. W. Sisco. Petitioner.

Ex parte: In the matter of W. V. Tyler. Petitioner.

Ex parte: In the matter of W. V. Tyler. Petitioner.

Ex parte: In the matter of W. B. Gaines. Petitioner.

Mr. D. A. Sayward, of counsel for the petitioners submitted to the consideration of the Court motions for leave to file petitions for writs of habeas corpus herein.

Ex parte: In the matter of William A. Gaines et al. Petitioners.

12 Original.

Ex parte: In the matter of William A. Gaines et al. Petitioners.

13 Original

On motion of Mr. H. M. Rose of counsel for the petitioners, leave is hereby granted to file demurrers to the returns to the rules to show cause issued herein.

Lottie L. Brownlow. Plff in Error

vs.

The City Council of Montgomery.

On motion of Mr. W. Inslee Phillips of counsel for the defend-

suit in error, leave is hereby granted the Clerk to issue the mandate in this cause.

1173 Alexander P. Smith vs. Appellant. Eddy B. Townsend.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. O. A. Garland and Mr. A. J. Way of counsel for the appellant, and Mr. Edwin A. Maxwell and Mr. George A. Chase of counsel for the appellee, and Mr. Assistant Attorney General Parker for the United States.

179 John P. Lytle vs. Appellant. The Town of Lansing.

On motion of Mr. Frederic D. McKenney, in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

313 George W. Brackenridge vs. Plff. in Error. The Town of Lansing.

1199 The Mexican Central Railway Company. vs. Plff. in Error. Alexander Pinkney.

On motion of Mr. Frederic D. McKenney, of counsel for the defendant in error, it

is ordered by the Court that the cause be, and the same is hereby, advanced, pursuant to the 36th Rule.

Ex parte: In the matter of Albert Frederick. Appellant.

Mr. Frederick O. Mc. Kenny of counsel for the appellant is submitted to the consideration of the Court a motion for leave to docket this cause, and proceed in forma pauperis, and that the transcript of record be printed at public expense, and a motion to advance this cause.

Ex parte: In the matter of The American Construction Company. ..... Petitioner. Original.

The argument of this case was commenced by Mr. W. B. Roubbouer, of counsel for the petitioner and continued by Mr. John G. Johnson and Mr. Thomas Thacher, of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 7th 1893

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Stephen J. Field. }
Horace Gray. }
Samuel Blatchford. }
David J. Brewer. } Associate
Henry B. Brown. } Justices.
George Shiras Jr. }
Howell E. Jackson }

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. J. Randolph Tucker it is ordered that Gideon C. Wilson, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this term by Mr. W. B. Hornblower it is ordered that Michael J. Kelly, Esquire, of New York City, be admi

ted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. S. Thomas it is ordered that Solomon B. Jackson, Esquire, of Ardmore, Indian Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. A. Garland it is ordered that A. B. Baker, Esquire, of Phoenix, Territory of Arizona, and James B. Carey, Esquire, of Salem, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Maurs it is ordered that Charles Everett Brown, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. W. Stockbager it is ordered that C. O. Stockbager, Esquire, of Hailey, Territory of Idaho, and Virgil W. Hobbs, Esquire, of Kingfisher, Territory of Oklahoma, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Mitchell it is ordered that Charles A. Cogswell, Esquire of Lakeview, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Iowa.
5. Original — vs — Complainant
The State of Illinois.

And now come the parties by their respective attorneys, and file in court their stipulation agreeing upon Montgomery Meigs (a U. S. Civil Engineer), John R. Carpenter, and Albert Wempner (a pilot) as Commissioners, and recommend their appointment in this case, and as there is litigation pending relating to the taxation of the Keokuk and Hamilton Bridge

and immediate action thereon is desired. It is ordered that said Montgomery Mingo, John A. Carpenter and Albert Wampler be and they are hereby appointed Commissioners to locate and mark the State Line between the States of Iowa and Illinois, pursuant to the opinion of this Court in this cause, at each of the nine bridges across the Mississippi River between these States.

And in as much as there is an emergency existing therefor, It is ordered that said Commissioners proceed at once to ascertain and mark the boundary line between said States at the Keokuk and Hamilton Bridge, and report at once their action in that regard before proceeding to ascertain the line & mark the same at the other bridges and that afterward they determine and mark the said State Line at the other eight bridges when requested by either party, and report the same.

That before entering upon their duties they take and forward to the Clerk of this Court to be filed, an oath that they will faithfully perform their duties as such Commissioners, under the decision rendered in this cause to the best of their ability. That the Clerk of this Court

furnish to said Commissioners a copy of the order, and the opinion of the Court in the cause.

per Mr. Justice Field.

Ex parte: In the matter of W. W. Riser. No. Original. Petitioner. On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Justice Gray.

Ex parte: In the matter of W. W. Riser. No. Original. Petitioner. On consideration of the petition of W. W. Riser, It is now here ordered by the Court that cause be shown by G. J. Cummingham, U. S. Marshal for the District of South Carolina, before this Court, at Washington, on Monday, the 27th day of March, 1893, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Justice Gray.

Ex parte: In the matter of W. H. Cyler. 17 Original. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that such motion be, and the same is hereby, granted.

per Mr. Justice Gray.

Ex parte: In the matter of W. H. Cyler. 17 Original. Petitioner.

On consideration of the petition of W. H. Cyler, It is now here ordered by the Court that cause be shown by E. S. Cunningham United States Marshal for the District of South Carolina, before this Court, at Washington on Monday the 27th day of March 1893, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Justice Gray.

Ex parte: In the matter of W. H. Cyler. 18 Original. Petitioner.

On consideration of the motion for leave to file a petition

for a writ of habeas corpus therein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Justice Gray.

Ex parte: In the matter of W. V. Tyler.

18. Original. Petitioner.

On consideration of the petition of W V. Tyler, It is now here ordered by the Court that same be sworn by E. S. Cunningham United States Marshal for the District of South Carolina before the Court at Washington on Monday, the 27th day of March, 1893 at 12 o' clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Justice Gray.

Ex parte. In the matter of W. B. Gaines.

19. Original. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus therein, It is now here ordered by the Court that said motion be, and the

same is hereby granted.

per Mr. Justice Gray.

Ex parte: In the matter of W. B. Gaines. } Original. Petitioner. } On consideration of the petition of W B. Gaines. It is now here ordered by the Court that cause be shown by G. S. Cunningham United States Marshal for the District of South Carolina, before this Court at Washington on Monday the 27th day of March, 1876, at 12 o'clock noon of that day or as soon there after as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Justice Gray.

The Honorable W. M. M. Miller addressed the Court as follows:

May it please the Court:

I have the honor to introduce to the Court my successor in the Office of Attorney General of the United States, Mr. Richard Olney, of Massachusetts. In performing this the last act of my official life, I

am sure I cannot better indicate my sense of obligation to the Court and my good will towards my successor than to express the wish that he may always receive at your hands the same kindly consideration and cordial good feeling that has uniformly been accorded to me, not only by the Court but by each individual and officer. I present also the commission of the Attorney General to be recorded according to the custom in such cases.

Mr. Justice Field responded as follows:

The Justices desire me to say in reply that they recognize the uniform courtesy and consideration that have marked your intercourse with the Court and they desire to say further that their highest regard and best wishes will always follow you in your future career. We welcome the new Attorney General, and direct that his commission be recorded by the Clerk.

Grover Cleveland,
President of the United States of America.
To all who shall see these Presents: Greeting:

Know Ye, That reposing special trust and confidence in the patriotism, fidelity and abilities of Richard Olney of Massachusetts, I have nominated, and by and with the advice and consent of the Senate do appoint him to be Attorney General, and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said Richard Olney, subject to the conditions prescribed by law.

In testimony whereof, I have caused these letters to be made Patent and the seal of the United States to be hereunto affixed.

(L. S.)

Given under my hand at the City of Washington, the sixth day of March in the year of our Lord one thousand, eight hundred and ninety-three, and of the Independence of the United States of America the one hundred and seventeenth.

Grover Cleveland.

Tuesday, March 5th, 1895. Continued.

By the President:

Walter Q. Gresham.

Secretary of State

Lucius C. Wasow et al.		In Error to the
308.	v.	Supreme Court
The John Spry Lumber		of the State of
Company.		Michigan

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore in pursuance of said stipulation It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Field.

The National Cable		Appeal from the Circuit
Railway Company.		Court of the United
307.	v.	States for the Southern
The Att. Adams & Eden		District of Ohio
Park Inclined Railway.		

It appearing to the Court that a motion by

counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby dismissed with costs.

per Mr. Justice Brown.

573 The New Stave & Lumber Company et al. vs. The Falls City Bank of Louisville, Ky. In Error to the Circuit Court of the United States for the Middle District of Tennessee.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Justice Brown.

858 D. M. Williams. vs. D. Abel et al. In Error to the Circuit Court of the United States for the Northern District of Ohio.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed therein, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

854. D. H. Williams. vs. Peff, in Error. J. S. Wilcox et al. — In Error to the Circuit Court of the United States for the Northern District of Texas.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed therein, Wherefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

1019. James O. Donnelly. vs. Appellant. John W. Douglass et al. — Appeal from the Supreme Court of the District of Columbia.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore in pursuance of said stipulation it is now hereby ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Justice Field.

No. 17. The United States, Appellant, vs. George Brundage.
352. " " "

Ex parte: In the matter of The American Construction Company.

55 Original. Petitioner.

This case was argued by Mr. W. C. Hornblower of counsel for the petitioner, and Mr. D. Mr. Cooper, of counsel for the respondent.

Ex parte: In the matter of John B. Faulkner.

11 Original. Petitioner.

This case was argued by Mr. Enoch A. King, of counsel for the petitioner and Mr. Assistant Attorney General Maury, of counsel for the respondent.

The Columbus Watch Co. et al.

242 vs. Appellants

Royal E. Robbins et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. D. Leggett, and Mr. James Watson, of counsel for the appellants, and Mr. Lysander Hill and Mr. George L. Prindle, of counsel for the appellees, and Mr. Frederick P. Fish, by leave

Ex parte: In the matter of
William H. Gaines et ab.
1 Original. Petitioners.

&

Ex parte: In the matter of
William H. Gaines et ab.
13. Original. Petitioners.

The argument of these cases was commenced by Mr. U. W. Rose, of counsel for the petitioners.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 8th, 1893.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Stephen J. Field. }
Horace Gray. }
Samuel Blatchford. } Associate
David J. Brewer. } Justices
Henry B. Brown }
George Shiras, Jr. }
Howell E. Jackson. }

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this way by Mr. A.H. Garland it is ordered that C. Kirkwood, Esquire, of Fairfield, State of Texas Henry Hardy, Esquire, of Ardmore Indian Territory, and Edward Lewis Keasbey, Esquire, of Morristown, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this b

leaf by Mr. H. W. Rose it is ordered that W. P. Hutchings, Esquire, of Muskogee, Indian Territory, and E. Mc Dunn, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion filed made to the Court in this behalf by Mr. E. W. Warble it is ordered that Charles S. Thornton, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Little Rock & Memphis Railroad Company.		Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.
337	vs.	
The St. Louis, Iron Mountain & Southern Railway Co. et al.	Appellants.	

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and

the same is hereby, dismissed with costs.

per Mr. Justice Field.

Lawson L. Hill et al. vs. William P. Gordon et al. — Appeal from the Circuit Court of the United States for the Northern District of Florida.

703.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Justice Field.

Ex parte: In the matter of William A. Gaines et al. — Petitioners

12 Original.

vs

Ex parte: In the matter of William A. Gaines et al. — Petitioners.

13 Original.

The argument of these cases was continued by Mr. A. H. Garland, of counsel for the respondents, and concluded by Mr. L. M. Rose, of counsel for the petitioners.

The State of Virginia
vs. Original
The State of Tennessee. Complainant.

On motion of Mr. R. A. Ayers, of counsel for the complainant, It is ordered by the Court that one hour additional time be allowed counsel on each side for the argument of the cause and that three counsel on each side be allowed to argue the cause.

The State of Virginia
vs. Original
The State of Tennessee. Complainant

The argument of this cause was commenced by Mr. R. A. Ayers, of counsel for the complainant, and continued by Mr. E. W. Pickle, of counsel for the defendant.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Thursday, March 9th 1893

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Stephen J. Field. }
Horace Gray. }
Samuel Blatchford. } Associate
David J. Brewer } Justices
Henry B. Brown }
George Shiras, Jr. }
Howell E. Jackson }

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr R. B Lester it is ordered that Joseph W. Carroll, Esquire, of Greenville, State of Georgia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. G George it is ordered that Thomas J. Buchanan, Jr., Esquire, of Oxford, State

of Mississippi be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jeff. Chandler it is ordered that Eugene Kremer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of Virginia.
vs. Original — vs — Complainant.
The State of Tennessee.

On motion of Mr. U. W. Pickle, of counsel for the defendant, leave is hereby granted to file an additional to the record in this cause.

The State of Missouri ex rel:
John T. Lemon et al.
1134 vs. Pffs. in Error
The Board of Equalization of
Buchanan County, Mo.

Mr. George G. Vest, of counsel for the plaintiffs in error submitted to the consideration of the Court a motion to advance this cause.

William G. Patrick ... Mr. E. Mc. Ginnis, of
157 ... vs. ... Appellant ... counsel for the appellee
Frank J. Bowman to use suggested the death
of Dennis P. Slattery. of Frank J. Bowman,
and moved the Court
that the cause proceed in the name of Dennis P.
Slattery as the party appellee. Whereupon, It is now
here ordered by the Court that this cause pro-
ceed in the name of the said Dennis P. Slattery
as the party appellee.

The State of Virginia. ... The argument of
2 Original ... vs. ... Complainant. the cause was
The State of Tennessee. ... continued by Mr.
W. D. Rhea, of
counsel for the complainant. Mr. A. L. Le Hoss
and Mr. A. S. Colyar, of counsel for the defendant
and concluded by Mr. A. Taylor Scott, of counsel
for the complainant.

Morris G. Martin et al. The argument of the cause
131. vs. ... Appellants. was commenced by Mr. L.
Henry Snyder, Jr. E. Stiles of counsel for the
appellants.

Proclamation being made the Court is adjourn-

Friday, March, 10th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Stephen J. Field, Horace Gray, Samuel Blatchford, David J. Brewer, Henry B. Brown, George Shiras, Jr., Howell E. Jackson, Associate Justices

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. O. W. Vorhies it is ordered that William L. Ely, Esquire, of Gonzales, Charles K. Bell, Esquire, of Fort Worth, and William O. Bee, Esquire, of Paris, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin B. Smith it is ordered that

William R. Ellis, Esquire, of Wash., State of Georgia, to admitted to practice as an attorney and counsellor of this Court, and to were sworn accordingly.

786. Jonathan Ludlow et al. vs. Peyt. in Error. Jane Burgess.

Mr. F. M. Pickle, of counsel for the defendant in error, suggested the death of Jane Burgess the defendant in error in the cause.

131. Morris B. Wardw et al. vs. Appellants. Henry Snyder Jr.

The argument of this cause was continued by Mr. L. B. Hilles, of counsel for the appellants, and concluded by Mr. D. W. Voorhees, of counsel for the appellants, and the cause was submitted on a printed argument by Mr. A. C. Story, of counsel for the appellee.

193. John B. Johnston vs. Appellants. The Standard Mining Co. of Nevada City.

This cause was argued by Mr. Hugh Butler, of counsel for the appellants, & Mr.

T. S. Drayne of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, March, 17th, 1879.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison W. Waite, Chief Justice
Stephen J. Field
Horace Gray
Samuel Blatchford
David J. Brewer
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson
Associate Justices
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Lewis B. Whitcher Esquire of Highmore, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered

that Allan O. Wilkeson, Esquire, of Sioux City, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Allen it is ordered that A.O. Reynolds, Esquire, of Aberdeen, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Ashley Watson it is ordered that Victor Morawetz, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Rawlins it is ordered that Ezra Young, Esquire, of Salt Lake City, Territory of Utah be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this way by Mr. W. Hallett Phillips it is ordered that Eliphalet Phelps, Esquire, of Waterbury State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this way by Mr. H. H. Ingersoll it is ordered that C. Marchbanks, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Henry Bier. In Error to the Court of Ap-
254 vs. Pff. in Error. peals for the Parish of Or-
J. Burruss McGehee. leans & State of Louisiana.

This cause came on to be heard on the transcript of the record from the Court of Appeals for the Parish of Orleans, and State of Louisiana, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause

be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brown.

Max Rosenthal. Appeal from the Circuit
3 vs. Appellant. Court of the United States
Kersey Coates, as Assignee for the Western Dis-
of the Western Bank. trict of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The United States. Appeal from the
061. vs. Appellant. Court of Claims.
Aaron S. Post.

This cause came on to be heard on the transcript of the record from the Court of Claims.

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed

per Mr. Justice Blatchford.

(Mr. Justice Jackson took no part in the decision of this case)

The United States. Appeal from the
1060. vs. Appellant. Court of Claims.
Frank Gates.

This cause came on to be heard on the transcript of the record from the Court of Claims & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, & the same is hereby, affirmed.

per Mr. Justice Blatchford.

(Mr Justice Jackson took no part in the decision of this case).

The State of Indiana. Appeal from the
No. 2 vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

William Deering. On consideration
578. vs. Appellant. of the motion to in-
The Wisconsin Harvester corporate into the
Works, et al. transcript of the re-
cord in this cause
certain matter from the transcript of the record in the case of William Deering, Appellant, vs. The Mc. Cormick Harvesting Machine Co. It is now here ordered by the Court that said motion be and the same is hereby granted.

per Mr. Justice Brown.

George B. Wilcox
284 vs. Pltf in Error
The United States.

On consideration of the motion to advance this cause, It is now hereordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the first Monday of April next.

per Mr. Justice Gray.

Rufus B. Evans
1297 vs. Pltf in Error.
The United States.

On consideration of the motion to advance this cause, It is now hereordered by the Court that said motion be, and the same is hereby denied.

per Mr. Justice Gray.

Ex parte: In the matter of Albert Frederick.
1306 Appellant.

On consideration of the motions for leave to docket this cause and proceed in forma pauperis, that the record be printed at the public expense, and that the cause be advanced, It is now here ordered by the Court that said motions be, and the same are hereby granted,

and the case assigned for argument on the first Monday in April next.

per Mr. Justice Field.

The State of Missouri ex rel: John S. Lemon et al. vs. The Board of Equalization of Buchanan County, Missouri. — Error to

1134 On consideration of the motion to advance the cause it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Justice Field.

Morris C. Martin et al. vs. Henry Snyder Jr. — Appellants.

151. A question arising upon the record in the cause whether the cause was properly removed from the State Court of Illinois to the United States Circuit Court for the Northern District of Illinois. The Court will receive briefs of counsel upon the question, such briefs to be filed on or before the first Monday of April next.

per Mr. Justice Field.

— Order —

There having been an Associate Justice of this Court appointed since the commencement of this term, It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the Circuits, agreeably to the act of Congress in such cases made and provided, and that such allotment be entered of record, viz.

For the First Circuit, Horace Gray, Associate Justice
For the Second Circuit Samuel Blatchford Associate Justice
For the Third Circuit George Shiras Jr Associate Justice
For the Fourth Circuit Melville W. Fuller, Chief Justice
For the Fifth Circuit Howell E. Jackson, Associate Justice
For the Sixth Circuit Henry B. Brown Associate Justice
For the Seventh Circuit, Melville W. Fuller, Chief Justice
For the Eighth Circuit, David J. Brewer, Associate Justice
For the Ninth Circuit, Stephen J. Field, Associate Justice

per Mr. Chief Justice Fuller.

Fergus Whitehead. — In Error to the District Court
1076. vs. — Off. in Error — of the United States for the
The United States. — District of Kentucky.

This cause having been called in the alter-

ion of the Court by Mr. Solicitor General Aldrich, of counsel for the defendant in error, and on motion of counsel for the plaintiff in error to dismiss the cause having been filed, Therefore, in pursuance of said motion, it is now here ordered and adjudged by the Court that the writ of error in the cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

John Cadwalader, Collector etc.
31. vs. Pffs. in Error.
John Wanamaker et. al.

James A. Walker and Co.
151. vs. Pffs. in Error.
J. F. Seiberger, Collector etc.

And

Sallie D. Kortright, Executrix etc.
860. vs. Pffs. in Error.
Charles A. Meyer et al.

On motion of Mr. Solicitor General Aldrich, it is ordered by the Court that these cases be passed and assigned for argument at the foot of the call for Monday, April 3rd next.

The United States
287 vs Appellant
The Late Corporation of the Church of Jesus Christ of Latter Day Saints.

Mr Samuel Shellabarger, of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause

Reuben B. Miller, Executor, et al
628 vs. Pltf. in Error
John Swaine et al, Trustees etc.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. A. W. Smith in support of the same, and Mr. Ellis Phelps and Mr. W. Hallett Phillips in opposition thereto.

The Fort Payne Coal & Iron Co.
1304 vs. Appellant.
A. L. Sayles et al.

The petition for a writ of error and supersedeas to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on a printed argument by Mr. J. A. W. Smith, in support of the same

The United States.
1075 vs Appellant
The California & Oregon
Land Co.

On motion of Mr. A. B. Browne, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

A. C. Hooper
87 vs. Plff. in Error
The People of the State of California.

On motion of Mr. A. B. Browne in behalf of counsel, It is ordered by the Court that the cause be, and the same is hereby continued until the next term.

Ex parte: In the matter of
Howard J. Schneider.
Petitioner.

Mr. William E. Mallaugly, of counsel for the petitioner, submitted to the consideration of the Court a motion for the allowance of a writ of error to the Supreme Court of the District of Columbia.

Ex parte: In the matter of
Howard J. Schneider.
Petitioner.

Mr. William E. Mallaugly of counsel for the peti-

Honor, submitted to the consideration of the Court a motion for leave to file a petition for writs of habeas corpus and certiorari herein.

Frederick Stolwerk
134 vs. Appellant
The Hamburg-American Packet Company.

This cause was argued by Mr. F. J. Clark of counsel for the appellant and Mr. Walter C. Perkins of counsel for the appellee.

The Wasatch Mining Co.
135. vs. Appellant.
The Crescent Mining Co.

This cause was argued by Mr. A. G. Browne, of counsel for the appellant and Mr. R. W. Bashore, of counsel for the appellee.

Hugo Stolzenberg.
136 vs. Pff. in Error.
Edward L. Hadden, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard upon the transcript of the record from the Circuit Court of the United States for the Southern District of New

York and Mr. Assistant Attorney General Lowry, of counsel for the defendant in error, being present in open Court and confessing error. Therefore, in pursuance of said confession of error, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

And it is further ordered that this judgment be entered nunc pro tunc as of the 3d day of January, 1893.

Per Mr. Chief Justice Fuller.

87. John Lee et al. vs. Pltf. in Error. E. L. Reddin, Collector &c.

Ordered by the Court that this cause be, and the same is hereby, passed.

188. The National Cash Register Machine Co. vs. Appellant. B. M. Reddin et al.

The argument of this cause was commenced by Mr. Bu-

gene Treadwell, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, March, 14th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Associate Justices

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that James Hoyle, Esquire, of Fort Payne, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Whatley it is ordered

that A. B. Prendergast, Esquire, of Waco, Texas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of Howard J. Schneider. Petitioner. On consideration of the petition for a writ of error here in to the Supreme Court of the District of Columbia, it is now hereby ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte In the matter of Howard J. Schneider. Petitioner. On consideration of the motion for leave to file a petition for writs of habeas corpus and certiorari herein, it is now hereby ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Fort Payne Coal & Iron Co.
1304. vs. Appellant.
D. L. Sayre et al

On motion of Mr. James Morfleet, leave is hereby granted time to file a printed brief in opposition to the petition for a writ of certiorari herein on or before Friday next.

Edward P. Parish et al.
1181. vs. Plffs. in Error.
The New Mexico Mining Co. et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

The Georgia Infirmary for the relief and protection of Aged and Afflicted Negroes.
1146. vs. Appellant.
Harriet C. Jones & Frank C. Jones, Admrs. etc.

On motion of Mr. Joseph H Choate, of counsel for the appellees, It is ordered by the Court that these cases be, and the same are hereby passed.

The City Council of Augusta.
1147. vs. Appellant.
Harriet C. Jones and Frank C. Jones, Admrs. etc.

The National Hat Pouncing Machine Company.
138. vs. Appellants.
S. M. Stetson & Co.

The argument of this cause was continued by Mr. Eugene Stockwell of counsel for the appellant, and Mr. E. L. Keasbey, of counsel for the appellee, and concluded by Mr. W. W. Swan, of counsel for the appellant.

Hermann Isaacs.
141. vs. Plff. in Error.
The United States.

In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Hermann Isaacs.
1423 vs. Pff. in Error.
C.E. Jones, Collector &c.

The argument of this cause was commenced by Mr. W. Wickham Smith, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March 15th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray.
Samuel Blatchford. Associate
Edward J. Brewer Justices
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. W. Fowler it is ordered that Benjamin G. Clark, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

V V

The Washington and Georgetown Railroad Co. et al.
vs. Pltf. in Error
Leon Gobrimer, Admr. &c.

No. 116

Mr. W. L. Rote, of counsel for the defendant in error presented a certified copy of a remittitur of the interest herein, as provided by the order entered herein on the 6th inst., which was ordered to be filed.

The Washington and Georgetown Railroad Company & Henry Kurd
vs. Pltf. in Error.
Leon Gobrimer, Administrator of John H. Harmon, deceased.

No. 117

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, the defendant in error having produced & filed a certified copy of the remittitur of the interest awarded by the judgment of the said Supreme Court, in general term, as provided by the order entered herein by this Court on March 6th, 1893, It is now here ordered and

adjudged by this Court that the judgment of the said Supreme Court in general term be and the same is hereby affirmed, and the interest: costs in this Court to be paid by the defendant in error.

per Mr. Chief Justice Fuller.

Hermann Isaacs. vs. Plff. in Error. 142. U.S. Internal Revenue Collector &c.

The argument of this cause was continued by Mr. W. Wickham Smith of counsel for the plaintiff in error, and Mr. Assistant Attorney General Parker, of counsel for the defendant in error, & concluded by Mr. W. Wickham Smith, of counsel for the plaintiff in error.

The United States vs. Plff. in Error. 391. Hermann Isaacs.

This cause was argued by Mr. Assistant Attorney General Parker, of counsel for the plaintiff in error, and Mr. W. Wickham Smith, of counsel for the defendant in error.

The People of the State of New York, ex rel: Carl Schurz et al.
139 vs. Pltffs. in Error.
Frederick Cook, Secretary of State.

The cause was argued by Mr. George Jarvis, of counsel for the plaintiffs in error, and Mr. S. W. Rosendale, of counsel for the defendant in error.

James M. Constable et al.
140 vs. Appellants.
The National Steamship Company, (Limited).

The argument of this cause was commenced by Mr. Joseph H. Choate, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 16th 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

Horace Gray.

Samuel Blatchford. } Associate

David J. Brewer. } Justices.

Henry B. Brown.

George Shiras, Jr.

Howell E. Jackson.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that James H. Bible, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of William Hume & C. C. Harris. Petitioners.

Mr. W. Mulock Phillips, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus, and for a temporary stay of proceedings.

James W. Constable et al. v. The National Steamship Company, (Limited). Appellants.

No. 170

The argument of this cause was continued by Mr. Joseph H. Choate, of counsel for the appellants, and Mr. John Chilwood, of counsel for the appellee, and concluded by Mr. Joseph H. Choate, of counsel for the appellants.

Sidney Lawrence. v. The State of Georgia. Plff. in Error.

No. 162

The argument of this cause was continued by Mr. W. W. Thomas, of counsel for the plaintiff in error. The Court declined to hear further argument.

Henry Huber et al.
113. vs. Appellants.
The U.C. Nelson Manufacturing Company.

The argument of this cause was commenced by Mr. Arthur S. Brown of counsel for the appellants, and continued by Mr. S. Ellis and Mr. S. L. Bigelow of counsel for the appellee.

Proclamation being made the Court is by virtue until to-morrow at twelve o'clock.

203-1-21

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Ex parte: In the matter of Milton Humes & C. C. Harris. Petitioners.

20 Original.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and for a stay of all proceedings in the Circuit Court of the United States for the Northern District of Alabama in the case of The Third National Bank of Chattanooga v. S. A. Gordon, Milton Humes and C. C.

Harris. It is now here ordered by the Court that said motion be, and the same is hereby granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Milton Humes & C.C. Harris. Original. Petitioners

On consideration of the petition of Milton Humes and C.C. Harris, It is now here ordered by the Court that cause be shown by the Honorable John Bruce, Judge of the Circuit Court of the United States for the North ern Division of the Northern District of Alabama, before this Court, at Washington, on Monday, the 3d day of April, 1893, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a writ of mandamus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

143 Henry Huber et al. vs Appellants. The U. O. Nelson Manufacturing Co.

The arguments of this cause was continued by Mr. A. W. Taylor, of counsel for the appellee.

and concluded by Mr. Philip Mauro, of counsel for the appellants.

Charles Wilkins et al. vs. Peyton in Error. George W. Courtenay et al.

145.

The argument of this cause was commenced by Mr. J. W. Mason, of counsel for the plaintiffs in error, and continued by Mr. Jefferson Brumback, of counsel for the defendants in error, and Mr. William W. Springer, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday March 20th 1893

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray.
Samuel Blatchford Associate
David J. Brewer. Justices
Henry B Brown
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Arthur S. Browne it is ordered that Arthur G. Odlin, Esquire of Orlando, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. H. Bristow it is ordered that

William B Anderson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Benedict it is ordered that James W. Eaton, Esquire, of Albany, State of New York, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Ashley Ashton it is ordered that Adrian H Joline, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Ben F. Du Val it is ordered that L. O. Byrne, Esquire, of Texarkana, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Woodworth it is ordered that Thomas O. Jones, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. Hooker it is ordered that D. W. Houston, Esquire, of Aberdeen, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Passavant & Co.		Appeal from the Circuit Court
118.	vs	Appellants. of the United States for the
The United States.		Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this

cause be, and the same is hereby, affirmed.

per Mr. Justice Jackson.

Ex parte: In the matter of John B. Sanborn. Petitioner. On consideration of the petition for a writ of mandamus, the return to the rule to show cause issued thereon and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Strong.

1. Original.

The Pennsylvania Company. In Error to the
1143 vs. Supreme Court of
George L. Bender, Administrator the State of Ohio.
of the estate of Thomas J. Bender, deceased. Plff. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and ad-

judged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brewer.

Ex parte: In the matter of William H. Davis et al. Petitioners. 13. Original

On consideration of the petition for a writ of mandamus, of the return to the rule to show cause issued therein, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the writ of mandamus be, and the same is hereby, granted, as prayed.

per Mr. Justice Blatchford.

Ex parte: In the matter of William H. Davis et al. Petitioners. 12 Original.

On consideration of the petition for a writ of mandamus, of the return to the rule to show cause issued therein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the writ of man-

dismiss be and the same is hereby granted as prayed.

per Mr. Justice Bradley.

Application to Intervene
5. ... vs. ... Appellant.
The Territory of New Mexico
ex rel: Edward C. Wade.

It is ordered by the Court that this cause be and the same is hereby, restored to the docket and set down for re-argument on the second Monday of the next term and that notice be given to the Attorney General that he may participate therein if he so desires.

per Mr. Chief Justice Fuller.

Samuel B. Miller, Executor etc.,
et al.
223 vs. Appeal from Circuit
Chas. Lucas et al. Trustee et al Court of Appeals

On consideration of the motion to dismiss herein, and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, dismissed with leave to plaintiffs in error to make Frank G. Anderson trustee a party, write citation, and

to take a citation to any other of the defendants in error, if so desired.

per Mr. Chief Justice Fuller.

The United States.
287. vs. Appellant.
The Late Corporation of the Church of Jesus Christ of Latter Day Saints.

On consideration of the motion to advance this cause it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day, unless counsel prefer to submit the cause on printed briefs on or before the third Monday of April.

per Mr. Chief Justice Fuller.

The Fort Payne Coal & Iron Company.
1304. vs. Appellant.
A. L. Sayles et al.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel thereupon had, it is ordered

support of or expand the same. It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Frank Keene.

1107. vs. Pff. in Error. In Error to the Richmond Irving Boure, Administrator, de bonis non, cum testamento annexo, of the estate of William B. Boure, deceased. Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

— Order —

The Reporter having represented that, owing to the number of decisions at the term, it will be

unpracticable to put the reports in one volume. It is, therefore, now here ordered that the publishers publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

per Mr. Chief Justice Waite.

1097 The Pan American Refrigerating Machine Company vs. John Featherstone et al Appellants

The motion to tax the costs incurred in this Court in this cause against the appellees was submitted to the consideration of the Court by Mr. Charles H. Aldrich and Mr. Ephraim Banning in support of the same, and Mr. L. L. Bond, Mr. C. E. Pickard and Mr. William A. McKenney, in opposition thereto.

1184 James W. Ogden et al. vs. The United States. Appellants.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Aldrich, in support of the same.

John B. Alexandre et al. Executors etc. vs. John Buchan et al

61. Appellants ... The motion to vacate the decree entered herein by this Court by allowing interest and damages was

submitted to the consideration of the Court by Mr. George T. Black, in support of the same, & Mr. R. O. Benedict, in opposition thereto.

1177 Frank Collins, Plff in Error, vs. The United States.
1180 Robert W. Stull, " " " " " "
1203 John Graves, " " " " " "

Mr. Benj. F. Du Val, of counsel for the plaintiffs in error, submitted to the consideration of the Court motions for leave to proceed in forma pauperis in these cases and that the cases be advanced.

Ex parte: In the matter of O. L. Blanks et al. Petitioners.

Mr. Wade P. Young, of counsel for the petitioners, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

Robert Singleburst et al.
164 vs. Appellants
La Compagnie Generale
Transatlantique.

The petition for a writ of certiorari thereto to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court by Mr. E. J. Jones in support of the same, and Mr. C. A. Severance in opposition thereto.

459. The United States, Appellant vs. Chas. M. Hall.
625 The United States, Appellant, vs. H. N. Ring.

On motion of Mr. B. C. Lancaster, of counsel for the appellees, leave is hereby granted the Clerk to issue the mandates in these cases.

C. L. Cobb
269 vs. Pff in Error.
Thomas H. Allen et al.

Mr. B. C. Lancaster, of counsel for the defendant in error, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari thereto.

Thomas B. Pearsall Assignee &c. vs. David W. Smith et al. Appellant

198. The motion to pass this cause was submitted to the consideration of the Court by Mr. Alexander Porter Morse, in support of the same, and Mr. R. J. Ludlow, in opposition thereto.

Lewis C. Krug &c. vs. Plff in Error. Joseph P. Ogatt.

1145. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Krug & P. Taggart in support of the same, and Mr William A. Cook, in opposition thereto.

Charles Wilkins et al. vs. Pets. in Error. George W. Courtnott et al.

1145 The argument of this cause was concluded by Mr. William M. Springer, of counsel for the plaintiffs in error.

The United States
119 vs. Appellant.
The Union Pacific Rail-
way Company et al.

The argument of this cause was commenced by Mr. Assistant Attorney General Mayes, of counsel for the appellant, and continued by Mr. John F. Dillon, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'Clock.

Tuesday, March 2nd, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Samuel Blatchford
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Woolworth it is ordered that Levy Mayer and Lewis J. Bloomer, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Turpie it is ordered that Samuel O. Pickens, Esquire, of Indianapolis,

State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Smith it is ordered that Henry L. Waldo, Esquire, of Santa Fe, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle it is ordered that James G. Martin, Esquire, of Asheville, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Overmeyer it is ordered that Rankin Mason, Esquire of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Mitchell it is ordered that William D. Ellis, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Clayton Water Ditch & Canal Co., et al.		Appeal from the Circuit Court of the
144.	vs.	Appellants.	United States for
The Salem (Oregon) Capital Flour Mills Co. (Limited).		the District of Oregon.

This cause having been called to the attention of the Court by Mr. John H. Mitchell, of counsel for the appellants, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion. It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The United States.
149. vs. Appellant.
The Union Pacific Railway Company et al.

The argument of this cause was continued by Mr. John P. Dillon, of counsel for the appellant and concluded by Mr. Gerald Hallowell, Attorney General of Nevada, of counsel for the appellant.

The Swan Land & Cattle Co. (Limited).
150. vs. Appellant.
Hannah Grant, Admr., et al.

On motion of Mr. J. M. Woolworth, of counsel for the appellees, it is ordered by the Court that Joseph L. Luysacker, as Administrator de bonis non of the estate of Louis Luysacker, deceased, be made a party appellee in this cause.

The Swan Land & Cattle Co. (Limited).
150. vs. Appellant
Hannah Grant, Admr., et al.

This cause was argued by Mr. Thomas H. Green, of counsel for the appellant and by Mr. J. M. Woolworth, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. George H. Preble it is ordered that Charles C. Parsons, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

R. G. Cates et al
153. vs. Appellants.
J. H. Allen et al.

This cause was argued by Mr. E. H. Bristow, of counsel for the appellants, and Mr. John M. Allen of counsel for the appellee.

Frank O. Barnum.
154. vs. Pff in Error.
The Town of Okolona.

The argument of this cause was commenced by Mr. E. H. Bristow, of counsel for the plaintiff in error. The Court declined to hear further argument.

W. J. Ramey.
155. vs. Appellant.
Samuel S. Brown & Harry Brown, partners under the firm-name of W. H. Brown Sons, & James Cochran.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and the appellant having been three times solemnly called by the Mar-

shall to come into Court and prosecute his appeal, and failing to appear it is thereupon, in pursuance of the 16 th rule of this Court and on the motion of Mr. A. P. Burgwin, of counsel for the appellee, now here entered, it is judged and decreed by this Court that the cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in accordingly to law and justice.

per Mr. Chief Justice Fuller.

56 The Northern Pacific Railroad Company, Appellant, vs. W. W. Haley et al.

This cause was submitted to the consideration of the Court on the record and on printed arguments by Mr. James McNaught, Mr. A. H. Garland and Mr. R. J. Hinton, of counsel for the appellant. No counsel appeared for the appellees.

William F. Patrick		The argument of this
57	vs.	cause was commenced
Dennis P. Slattery.		by Mr. Charles C. Con-
		nor, of counsel for the

appellant

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, March 23d. 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Horace Gray.
Samuel Blatchford.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. B. K. Davis it is ordered that James Keane Masterson, Esquire, of Houston State of Texas, and C. H. Crandall, Esquire, of St. Paul, State of Minnesota, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. W. Hallett Phillips it is ordered

that Horace A. Shaw, Esquire of Edwardsville, Pa. of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John K. Sax. Appeal from the Circuit Court
168 vs. Appellant. of the United States for the
The Taylor Iron Works. District of New Jersey.

This cause having been called for hearing on its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John Watson. Appeal from the Circuit Court
169 vs. Appellant. of the United States for the
Henry Belfield et al. District of New Jersey.

This cause having been called for hearing in its regular order, and it appearing to

the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

157. William P. Patrick. vs. Appellant. Dennis C. Flattery.

The argument of the cause was concluded by Mr. Charles C. Rogers, of counsel for the appellant, and the cause was submitted on a printed argument by Mr. B. Mc. Dennis, of counsel for the appellee.

159. The Pittsburg & Southern Coal Co. vs. Plff. in Error. The State of Louisiana, for use of the Charity Hospital of New Orleans.

&

15. The Pittsburg & Southern Coal Co. vs. Plff. in Error. John W. Bates, Sheriff &c.

Ordered by the Court that these cases &c. and they are hereby passed until to-morrow.

George Brumsey
vs. Appellant
The I. Cotton Company

This cause was argued by Mr. E. C. Musgrave and Mr. C. J. Sibbett of counsel for the appellants, each submitting on a printed argument by Mr. Lewis S. Brown of counsel for the appellee.

William H. Wolfe.
162. vs. Pff. in Error.
The Hartford Life & Annuity Insurance Co. of Hartford, Conn.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. Robert S. Green, of counsel for the plaintiff in error, and Mr. Newman Wolfe, of counsel for the defendant in error.

The President & Directors of
The Manhattan Company.
163. vs. Pffs. in Error.
Marshall B. Blake, Collector &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Butterfield, of counsel for the plaintiffs in error, & Mr. Assistant Attorney General Beaty, of counsel

for the defendant in error.

H. B. Moses et al.
166 vs. Pffs. in Error
The National Bank of
Laurence County.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Henry B. Dorphins, of counsel for the defendant in error.

Solon Humphreys et al.,
Receivers etc.
167 vs. Appellants.
John H. Perry et al.

The argument of this cause was commenced by Mr. Richard S. Tuthill, of counsel for the appellees.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Friday, March 24th 1865.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Roger B. Taney Chief Justice
Horace Gray.
Samuel Nelson.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George K. Gresch it is ordered that Edward Dennis Patrick, Esquire, of Denver, State of Colorado, and Julian Stuart Jones, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr Asbel C. Stevenson it is ordered that John L Vance, Jr. Esquire, of Gallipolis, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. C. Blanchard it is ordered that Henry P. Dart, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. W. Coons it is ordered that William O. Bullock, Esquire, of Vincennes, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

H. B. Moses et al. vs. Plffs. in Error.
166. The National Bank of Laurence County.

Mr. W. F. Morris, in behalf of counsel for the plaintiff in error, suggested the death of one of the plaintiffs in er-

now herein and submitted to the consideration of the Court a motion for time within which to make the proper parties and for leave to file a brief on behalf of the plaintiffs in error thereupon. It is ordered by the Court that the plaintiffs in error be granted until Monday, April 3d, 1893 within which to make new parties and file brief.

William P. Halliday. vs. Appellant. Richard H. Stuart et als.

171. On motion of Mr. Julian Stuart Dowe, of counsel for the appellee, it is ordered by the Court that this cause be, and the same is hereby, continued until the next term for stipulation.

Frederick Hollander et als. vs. Pffs. in Error. Daniel Wagoner Collector &c.

172. On motion of the Solicitor General Aldrich, of counsel for the defendant in error. It is ordered by the Court that this cause be passed and placed at the foot of the call for Monday, April 3d.

The Belmont Reading & Manufacturing Co. vs. William L. Scott. 1279. Appellant. On motion of Mr. Henry P. Dart, of counsel for the appellee, It is ordered by the Court that the cause be, and the same is hereby, advanced pursuant to Rule 32.

The East Tennessee Virginia & Georgia Railroad Company vs. C. D. Mc. Kenny. 174. Pff. in Error. In Error to the Supreme Court of the State of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 6th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Railway Register Manufacturing Company. vs. The Third Avenue Railroad Co., et al.

177. Appellant.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Solon Humphreys et al., Receivers etc. vs. John H. Perry et al.

167. Appellants.

The argument of this cause was concluded by Mr. Richard S. Tillinghast, of counsel for the appellees, and the cause was submitted on a printed argument by Mr. Wells H. Blodgett, of counsel for the appellants.

	The Pittsburg & Southern Coal Co.	Ordered by
169.	vs. Pff. in Error.	the Court that
	The State of Louisiana for use of	these cases
	The Charity Hospital of New Orleans.	be, and they
	&	are hereby,
	The Pittsburg & Southern Coal Co.	passed un-
15.	vs. Pff. in Error.	til Monday
	John W. Bates, Sheriff etc.	next.

	Lucas County, Arkansas	This cause was sub-
170.	vs. Pff. in Error.	mitted to the consid-
	J. M. O. Sherwood et ah.	eration of the Court

on the record and a printed argument by Mr. D. H. Reynolds, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

	J. S. Casement and Co.	This cause was sub-
173.	vs. Pff. in Error.	mitted to the consid-
	Samuel S. Brown et ah.	eration of the Court

on the record and printed arguments by Mr. W. A. Hutchins, and Mr. J. W. Bannon, of counsel for the plaintiffs in error and Mr. Thornton Mc Stukes, of counsel for the defendants in error.

Joseph Nicolas Dickett et al
175 vs Appellants.
George Foster et al.

This cause was argued by the A. G. Phillips, of counsel for the appellees, and submitted on a printed argument by Wm. A. DeGrest of counsel for the appellants, and leave was granted Mr. William B. Lewis to file an additional brief for the appellants on or before Tuesday next.

The Board of Education of the City of Nicholas County
176 vs. Err. in Error
Francis M. Nelson.

This cause was argued by the Hon. Chilton, of counsel for the plaintiff in error. The Court declined to hear counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Crowned to adjournment the Court met today at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Horace Gray.
Samuel Blatchford.
David J. Brewer. Associate
Henry B. Brown. Justices
Edward White, Jr.
Howell E. Jackson.
John W. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered by the Court that O. C. Matthews, Esquire, of Litchfield, and Ralph W. Haynes, Esquire of Springfield, State of Illinois, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that

William B. Crowell Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. C. Land it is ordered that Henry Crane Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Harrison it is ordered that A. O. Martin Esquire of Lancaster, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. H. Garland it is ordered that George B. Nelson Esquire of Muscogee, Indian Territory, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this way by Mr. O. B. Browne it is ordered that Frank Ivy Wood, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this day by Mr W. Hallett Phillips it is ordered that David Martin Esquire, of Atchison, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Levi Ankeny, Pl. in Error.
vs.
Van Buren Clark. Def. in Error.

In Error to the Supreme Court of the Territory of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, af-

firmed with costs: And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Washington.

per Mr. Justice Shiras.

135. The Wasatch Mining Company. vs. The Crescent Mining Company. — Appellant. — Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

133. John B. Johnston. vs. The Standard Mining Company of Kansas City. — Appellant. — Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

John Cameron, Appellant, vs. The United States, Appellee. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed: and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to dis-

muse the petition.

per Mr. Justice Brewer.

Dissenting:

Mr. Chief Justice White.

The Monongahela Navigation Company.
vs. Appl. & Cty in Errs.
The United States.

Appeal from & Err to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

Mr. Justice Shiras having been of counsel, and Mr. Justice Jackson not having been a member of the Court at the time of the argu-

unal, took no part in the consideration and decision of this case).

Henry Suter & James E. Boyle as Administrator of James E. Boyle, deceased. — Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

143 vs. — Appellants

The W. O. Nelson Manufacturing Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Ex parte: In the matter of The American Construction Co. — On consideration of the petition for writ of mandamus or other-

14 Original — Petitioner.

are herein to the United States Circuit Courts of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said petition be, & the same is hereby, denied.

per Mr. Justice Gray.

(The Chief Justice was not present at the argument and took no part in the decision of this case).

En parte: In the matter of The American Construction Co. Petitioner. On consideration of the petition for writs of mandamus or certiorari

15 Original.

herein, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the writ of mandamus be, and the same is hereby, denied. And it is further ordered that cause be shown by the Judges of the United States Circuit Court of Appeals for the Fifth Circuit before this Court, at Washington, on Monday, April 17th 1893, at 12 o'clock noon of that day, or as soon thereafter as counsel

case be heard, why a writ of error should not issue to bring up and quash the decree of the said United States Circuit Court of Appeals in the case of The Pennsylvania Company for Insurances on Lives and Granting Annuities, Appellant, vs. The Jacksonville, Tampa and Key West Railway Company and The American Construction Company.

per Mr. Justice Gray.

(The Chief Justice was not present at the argument and took no part in the decision of this case).

61

John B. Alexandre et al, Executors et al. vs. John Mackay et al. Appellants.

On consideration of the motion to reverse the decree entered herein by this Court, by allowing interest and damages and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by this Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Thomas B. Pearsall, Assignee etc.. : On consider-
98 ..... vs. ..... Appellant ation of the motion
David M. Smith et al. to place this case
It is now here
ordered by the Court that said motion be,
and the same is hereby, granted, and the
cause assigned for argument on the second
Monday of April next, after the cases hereto-
fore assigned for that day.

per Mr. Chief Justice Fuller

B. S. Bibb ..... On consideration of the
269 vs. Pltf. in Error suggestion of a diminu-
Thomas H. Allen et al. tion of the record and
motion for a writ of
certiorari herein, It is now here ordered by the
Court that the writ of certiorari be, and the
same is hereby, awarded, returnable forth-
with, and leave is granted to file the record
presented as a return thereto.

per Mr. Chief Justice Fuller.

The Delta Virginia Railroad Company. vs. John Featherstone et al. Appellants.

1097. On consideration of the motion to tax the costs incurred in this Court in this cause against the appellees, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Laura B. Keyser. vs. Plff in Error Joseph D. Effrett.

1105. It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and the same is hereby, postponed to the hearing on the merits.

per Mr. Chief Justice Fuller.

1179. Grant Dolan, Plff in Error vs. The United States.

1180. Robert M. Hall, " " " " " " "

1203. John Graves " " " " " " "

On consideration of the motion for leave

to proceed in forma pauperis in these cases and that the cases be advanced;

It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the second Monday of April next after the cases heretofore assigned for that day.

It is further ordered that the transcripts of the records in these cases be printed at the public expense.

per Mr. Chief Justice Fuller.

James M. Ogden & Columbus S. Jones, copartners under the Style of Ogden and Jones. vs. The United States. Appellants. Appeal from the Circuit Court of the United States for the Eastern D. of Louisiana.

1184.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be

and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Robert Lupsheurst et al. Appellants. On consideration
1807 vs. of the petition for
La Compagnie Generale a writ of certio-
Transatlantique. rari herein to the
United States Cir-
cuit Court of Appeals for the Second Circuit
and of the argument of counsel thereupon had,
as well in support of as against the same
It is now here ordered by the Court that said
petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of On consideration
O. L. Blanks et al. of the motion for
Petitioners. leave to file a pe-
tition for a writ
of mandamus herein and of the argument of
counsel in support of the same: It is now here
ordered by the Court that said motion be, and
the same is hereby, denied.

per Mr. Chief Justice Fuller.

Nathaniel H. Wolfe. In Error to the Cir-
No 2 vs. Pff. in Error. cuit Court of the Un-
The Hartford Life & Annuity ited States for the
Insurance Company of Southern District of
Hartford, Conn. Circuit. New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the plaintiff in error; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings.

Per Mr. Chief Justice Fuller.

Friedrich Hollard. Appeal from the Circuit
134 vs. Appellant. Court of the United States
The Hamburg American for the Southern Dis-
Packet Company. trict of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The Columbus Watch Company et al. ..... Appellants
vs.
Boyd E. Robbins et al

On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

242

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that as the said certificate is not in conformity with the statute it must decline to certify any opinion upon the matters involved and direct that the cause be dismissed. Whereupon It is now here ordered by the Court that it be so certified to the

Writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Judicial Circuit.

The Chief Justice announced that on Friday next would be Good Friday, the Court would adjourn on Thursday until Monday next.

29. Francis S. Heitao. vs. Gilbert W. Richardson. Appellant. On motion of Mr. William A. Gurney, it being stated for the appellant that he is hereby granted the Clerk to issue the writ of certiorari as in these cases.

148. Mrs. Mary Corwin Warren Heitao. vs. Gilbert W. Richardson. Appellant.

73. J. S. Casement and Co. vs. Samuel S. Brown et al. Pffs. in Error. On motion of Mr. W. A. Hutchins of counsel for the plaintiffs in error, leave is hereby granted them to file a printed brief herein within one week.

A. J. Mullins, Jr., et al. vs. Appellants
The Overland Coal and Iron Company et al.

No. 328

Mr. William G. Mallory, of counsel for the appellees, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari herein. Whereupon, It is now here ordered by the Court that the writ of certiorari be, and the same is hereby, awarded, returnable forthwith, and leave is granted to file the record presented as a return thereto.

Thomas O. Price vs. Pltff. in Error.
Brooks Parkhurst et al.

No. 1314.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Henry Wise Garnett, Mr. A. L. Collier & Mr. M. W. Hobson in support of the same, and Mr. C. A. Morrison in opposition thereto.

The Iowa Falls & Sioux City Railway Company. vs. City of Iowa Falls & Illinois Central Railway Company. 1312

Mr. H. Scott Smith one of counsel for the defendants, submitted to the consideration of the Court a motion to advance this cause.

Thomas B. Carroll, Respondent vs. Appellants David M. Smith et al 198

Mr. Alexander Upton, one of counsel for the appellees suggested the death of Albert Slauson, one of the appellees herein in his individual capacity and as a member of the firm of A. Slauson and Co., and moved the Court to make Austin M. Slauson, Executor of the said Albert Slauson, deceased, a party appellee, and also that the cause proceed in the names of Austin M. Slauson and Robert H. Moses, surviving partners of the firm of A. Slauson and Co.

Whereupon, It is now here ordered by the Court that Austin M. Slauson, Executor of Albert Slauson, deceased, be, and he is hereby made a party appellee herein and that the cause proceed in the names of Austin

W. Slauson and Robert H. Moses, as surviving partners of the firm of A. Slauson and Co.

The Board of Education of
The City of Richmond Va.
176. vs. Pff. in Error.
Francis W. McKay.

On motion of the Hon. Wm. H. Fleming of counsel for the pff. in error, leave is hereby granted him to file a supplemental brief herein within three days.

The United States.
185. vs. Appellants.
The Cutts Military Road
Company et al.

On motion of Mr. A. R. Brevier, on behalf of counsel for the appellees, leave is here by granted the Clerk to issue the mandate in this cause.

The Mississippi Mills & William
H. Lee, Admr. of the partnership
State of Wood and Lee.
186. vs. Appellants.
Simeon Adler & wife, Mrs. Emma
Bohn and Mrs. Henrietta Stein-
hardt.

Mr. W. P. Morris, in behalf of counsel for the appellants, suggested the death of Mrs. Henrietta Stein

Ward, one of the appellees in this cause, & moved the Court for an order, under the 15th rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Mrs Henrietta Newcomb, deceased or appointed, shall voluntarily become parties within the next ten days of the ensuing Term of this Court, the appellants shall be entitled to open the record, and on hearing, have the decree reversed, if it be erroneous. Provided however, That a copy of this order shall be printed in some newspaper of general circulation within the State of Louisiana for three successive weeks, at least sixty days before the beginning of the Term of the Supreme Court then next ensuing.

Gustavus Bogle. vs. Pltf in Error. Harry Vassell et al. Deft in Error.

179.

Mr. W. G. Morris, in behalf of counsel for the plaintiff in error, suggested the death of Gustavus Bogle, the plaintiff in error herein and moved the Court to make John W. Newark, Administrator of the said Gustavus Bogle, the party plaintiff in error in this

cause. Whereupon, It is now here ordered by the Court that John W. Stewart, Administrator of Gustavus Boyle, deceased, &c. and he is hereby made the party plaintiff in error herein.

Richard P. Bardew et al.
908. vs. Pffs. in Error.
The Northern Pacific R.R. Co.

On motion of Mr. W. G. Worris, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

The Pittsburg & Southern Coal Co.
57. vs. Pff. in Error.
The State of Louisiana for use of the Charity Hospital of New Orleans.

Ordered by the Court that these cause be, and they are hereby, passed until to-morrow.

The Pittsburg & Southern Coal Co
15. vs. Pff. in Error.
John W. Bates, Sheriff &c.

Henry Baughman
vs Appellants
Silas B. Boyd

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Samuel C. Schaefer
vs. Appellant.
John I. Blair.

The argument of this cause was commenced by Mr. C. D. Mallon, of counsel for the appellant, continued by Mr. C. O. Dickinson, of counsel for the appellee, and concluded by Mr. R. A. Harrison, of counsel for the appellant.

John W. Steward, Admr. etc.
vs. Pff. in Error.
Henry Vasser et al.

This cause was argued by Mr. W. W. Dixon, of

counsel for the defendants in error, and submitted on printed arguments by Mr. A. W. Peete and Mr. William Wallace Jr. of counsel for the plaintiff in error, and Mr. W. F. Morris, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday, March, 28th, 1893

Ordered to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Horace Gray.

Samuel Blatchford

David J. Brewer. Associate

Henry B. Brown. Justices.

George Shiras Jr.

Howell E. Jackson

John W. Wright, Esquire, Marshal.

James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. Brownell it is ordered that H. H. Hubbard, Esquire, of Afton, Indian Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Francois Grozza. Appeal from the Circuit
187 vs. Appellant Court of the United States
Patrick Furman for the Eastern District
Sheriff etc. of Texas.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Shipyard Furnace Co.
vs. Appellant.
James P. Witherow.

Ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of Section 7, Rule 26.

190.

The Pittsburg & Southern Coal Co.
vs. Plff. in Error.
The State of Louisiana for use of
The Charity Hospital of New Orleans.

Ordered by the Court that these cases be and they are hereby, passed until to-morrow.

182.

The Pittsburg & Southern Coal Co.
vs. Plff. in Error.
John W. Bates, Sheriff etc.

15.

The Chicago Milwaukee & St Paul Railway Co.
180. vs. Pffs in Error.
O. W. Stiff et als. use of Illinois Wheeler and Co.

Ordered by the Court that this cause be, and the same is hereby passed until to-morrow.

Sarah B. Illius et al
182. vs. Pffs in Error.
T. J. Oliver.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. W. J. Phippin and Mr. D. H. Brum of counsel for the plaintiffs in error, & leave was granted counsel for the defendant in error to file a printed brief hereafter.

Johan Andrew et als.
183. vs. Pffs in Error.
The City of Portland et als.

This cause was argued by Mr. W. P. Oliver of counsel for the defendants in error and submitted on a printed argument by Mr. George H. Williams of counsel for the plaintiffs in error.

185. Francois Thozza vs. Patrick Curran, Sheriff etc. Appellant. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Curran, of counsel for the appellant, and Mr. A. P. Pelletier, of counsel for the appellee.

187. Laura M. Traut vs. Richard Waller. Appellant. This cause was argued by Mr. W. B. Simonds, of counsel for the appellant, and Mr. Henry Graves, of counsel for the appellee.

188. Charles B. Smith et al vs. The Williams Saddle Co. Appellants. This cause was argued by Mr. W. B. Simonds, of counsel for the appellants. No counsel appeared for the appellee.

191. A. Adgate Dunn vs. The Central Patent Lock Co. Appellant. This cause was submitted to the consideration of the Court on the printed record with leave to counsel on both

sides to the printed arguments.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Horace Gray.
Samuel Blatchford.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Patrick O. Collins it is ordered that Edward A. Woodley, Esquire, of Newburyport, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Butler it is ordered that Albert J. Beveridge, Esquire, of Indianapolis,

State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

A. Adgate Duer
vs. Appellant.
The Corbin Cabinet Lock Co.

No. 19,

Mr. Benjamin Dean, of counsel for the appellant, suggested the death of A. Adgate Duer, the appellant herein, and moved the Court to make Margaret L. Duer, Executrix of A. Adgate Duer, deceased, the party appellant. Whereupon, It is now here ordered by the Court that Margaret L. Duer, Executrix of A. Adgate Duer, deceased, be, and she is hereby, made the party appellant in this cause.

Margaret L. Duer, Executrix etc.
vs. Appellant.
The Corbin Cabinet Lock Co.

No. 9,

Ordered by the Court that counsel be allowed two weeks, within which to file additional briefs in this cause.

159. The Pittsburg & Southern Road Co vs. Peff. in Error. The State of Louisiana for use of The Charity Hospital of New Orleans vs The Pittsburg & Southern Road Co. vs. Peff. in Error. John W. Bates, Sheriff etc. The same being called for hearing, Ordered by the Court that these cases be, and the same are hereby passed to be placed at the head of the call for Monday next.

180. The Chicago, Milwaukee & St. Paul Railway Co. vs. Peff. in Error. Alfred W. Hoyt et al., use of Thurber, Wheeler and Co. Ordered by the Court that this cause be, & the same is hereby passed until to-morrow.

182. The National Water Co. vs Appellant. The Board of Water Commissioners of the City of Yonkers. The argument of this cause was commenced by Mr. J. Brooks Bull, of counsel for the appellant, continued by Mr. G. P. Wisner and Mr. P. H. Bates of counsel for the appellee,

and concluded by Mr. Edmund Wetmore, of counsel for the appellants.

193. George L. Bender, Admr. etc. vs. Plff. in Error. The Pennsylvania Company operating the Pittsburg, Fort Wayne & Chicago Railway.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. L.A. Critchfield of counsel for the plaintiff in error, and Mr. J.A. Gary, of counsel for the defendant in error.

194. William L. Wallace, Executor of Isabella Wallace, deceased, et al. vs. Appellants. Theodore W. Myers, Comptroller of the City of New York.

Mr. George K. Gaudy, of counsel for the appellee, suggested the death of William L. Wallace, Executor of Isabella Wallace, deceased, one of the appellants in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representa-

tors of the said William L. Wallace Deceased, deceased, as aforesaid, shall voluntarily become parties within the first Ten days of the ensuing Term of this Court, The appellee shall be entitled to have the appeal dismissed: Provided however, That a copy of this order shall be printed in some newspaper of general circulation within the State of New York for three successive weeks at least sixty days before the beginning of the Term of the Supreme Court then next ensuing.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Horace Gray,
Samuel Blatchford,
David J. Brewer, Associate
Henry B. Brown, Justices
George Shiras, Jr.
Howell E. Jackson.
John H. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that James L. Autry, Esquire, of Corsicana, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Pope Barrow it is ordered that C. B. Jackson, Esquire, of Pikeville, State of Ten-

give, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of Iowa. Complainant
vs.
The State of Illinois.

On motion of Mr. Walter L. Hayes, in behalf of counsel, leave is hereby granted to file the report of the Commissioners appointed herein to fix and mark the boundary line and a motion to confirm said report was submitted to the consideration of the Court by Mr. Hayes, in behalf of counsel.

The German Bank of Memphis et al. Appellants
vs.
The United States. No. 23

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. F. Phippin Mr. O. H. Garland and Mr. H. L. Ray, of counsel for the appellants, and Mr. Assistant Attorney General Conrad, of counsel for the appellee.

178 Joseph Hesha Pickett et al. vs. Appellants
George Porter et al.

On motion of Mr. Frederic D. Mc. Kenney of counsel for the appellees, leave is hereby granted counsel for the appellees to file a supplemental brief herein.

419. The Illinois Central R.R. Co. Appt. vs. The People of the State of Illinois et al
608 The City of Chicago, Appt vs. The Illinois Central R.R. Co. et al.
609 The People of the State of Illinois, Appt. vs. The Illinois Central R.R. Co.

The motion for an order granting the Clerk leave to issue the mandate in these cases was submitted to the consideration of the Court by Mr. Frederic D. Mc. Kenney, in support of the same, and Mr. John K. Jewett, in opposition thereto.

The Richmond & Danville R.R. Co.
vs.
201. J. L. Killian.

In Error to the Circuit Court of the United States for the Northern District of Georgia.

Plff. in Error.

This cause having been called for hearing in its regular order, and it appearing to

the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of the Court, now here ordered and adjudged by this Court that the writ of error in the cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

203 Simon J. Lourgan et al vs. Plffs. in Error. Marcus C. Buford et al. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John A. Marshall, of counsel for the plaintiffs in error, and Mr. J. A. Merritt, of counsel for the defendants in error.

204 The Kentucky & Indiana Bridge Company. vs. Appellant. The Louisville & Nashville R.R. Co. Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause having been called for hearing in its regular order, and it appearing to the

Court that the plaintiff have failed to print the transcript of the record. It is therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Chicago, Milwaukee & St. Paul Railway Co.
v. Plff. in Error.
Alfred W. Hoyt et al., use of Munger, Wheeler & Co.

180.

This cause was argued by Mr. Edwin Wacker, of counsel for the plaintiff in error, and Mr. John W. Jewett of counsel for the defendants in error.

Veeder G. Thomas et al.
vs. Appellants.
The Western Car Co.

196.

The argument of this cause was commenced by Mr. Samuel A. Lynde, of counsel for the appellants, and continued by Mr. H. Hopkins, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 3d, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford
Davis
David J. Brewer
Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Dye it is ordered that Alvin Evans Smith and W. A. Ketcham, Esquires, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh L. Bond, Jr. it is ordered

That Joseph W. Barnwell, Esquire of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Hallett Phillips it is ordered that L. D. Howard Gilmour, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Thomas C. Marshall, Esquire, of Missoula, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Dickinson it is ordered that Grosvenor B. Perkins, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joh. G. Morris it is ordered that Joseph M. White, Esquire, of Montgomery, State of Alabama, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

Sidney Lascelles.		In Error to the Su-
132	vs. Pltf. in Error.	preme Court of the
The State of Georgia.		State of Georgia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Georgia and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. per Mr. Justice Jackson.

The People of the State of New York		In Error to
in rel: Carl Schurz, et al.		the Supreme
134	vs. Plff. in Error.	Court of the
Frederick Cook Secretary of State		State of New
of the State of New York.		York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Jackson.

Knox County, Arkansas. In Error to the Circuit
vs. 173. Court of the United States
J. M. O. Sherwood & G. W. for the Eastern Dis-
Dunton, trict of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judg-

mits to an the Courts of the State of Arkansas.

per Mr. Justice Jackson.

Frank L. Barnum
vs. In Error.
The Town of Okolona.

In Error to the District Court of the United States for the Northern District of Mississippi.

1874.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong.

The National Rat Rearing
Machine Company.
vs. Appellant.
Clarence W. Seaden and
Charles J. Seaden.

Appeal from the Circuit Court of the United States for the District of New Jersey.

1881.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Alexander G. Smith. Appeal from the Supreme
1178. vs. Appellant. Court of the Territory of
Eddy B. Townsend. Oklahoma.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oklahoma, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The President & Directors of The Manhattan Company.		In Error to the Circuit Court of the United States for the Southern District of New York.
163	vs. In Error.	
Marshall B. Blake Collector of Internal Revenue.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

The State of Virginia.		In Equity.
5 Original — vs. — Complainant		
The State of Tennessee.		

This cause came on to be heard on the bill, answer, replication thereto, and evidence, and was argued by counsel. On consideration whereof, It is now here ordered, declared and adjudged by this Court that the bound-

ary line established between the States of Georgia and Tennessee by the compact of 1802, between the States is real, certain and true bound ary between the said States and that the prayer of the complainant to have the said compact set aside and annulled, and to have a new boundary line run between them on the parallel of 36° 30' north latitude should be and the same is hereby, denied at the cost of the complainant.

per Mr. Justice Field.

The Texas & Pacific Railway Company.
1312. vs. Pet. in Error.
Ida May Anderson et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause will be taken on printed briefs to be filed on or before the 17th inst.

per Mr. Chief Justice Fuller.

Thomas D. Price.
1314. vs. Pet. in Error.
Theodore Pankhurst et al.

On consideration of the petition for a writ of certiorari

thereto to the United States Circuit Court of Appeals for the Eighth Circuit and of the argument of counsel thereupon had; as well in support of as against the same; It is now here ordered by this Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Charles Wickins William Wills, John Sperring, Nicholas M. Upmin and James M. Mason. vs. George W. Courtelott & George C. Alcott. In Error to the Supreme Court of the State of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nevada and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

George L. Bender, Administrator of the estate of Thomas Bender, deceased.

178. vs. Plff in Error

The Pennsylvania Company, operating the Pittsburgh Fort Wayne & Chicago Railway.

In Error to the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company.

24. vs. Appellant

Charles S. Walker, County Auditor of Barnes County, North Dakota, et al.

On a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the Circuit Court of the United States for the District of North Dakota in this cause be, and the same is hereby, reversed, at the costs of the appellant: and that this cause be, and the same are hereby, remanded to the said Circuit Court with a direction for further proceedings in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

The United States Appellant.

vs.

1038

The 'Old Settlers' or Western Cherokee Indians, by Robt M. Bryan, William Wilson & William H. Hendricks, Commissioners, & Robt M. Bryan, Treasurer, &c.

and

The 'Old Settlers' or Western Cherokee Indians by Robt M. Bryan, William Wilson & William H. Hendricks Commissioners & Robt M. Bryan, Treasurer, &c

vs.

1038

Appellants.

The United States

Appeals from the Court of Claims.

The cause came on to be heard on the Transcript of the record from the Court of Claims on appeal and cross-appeal and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby modified so as to provide for the recovery of the defendants of the sum of two hundred & twelve Thousand, three hundred and seventy-six dollars and ninety-four cents ($212,376.94) instead of the sum of two hundred and twenty four thousand nine hundred and seventy-two dollars and sixty-eight cents ($224,972.68) in full of the four capital funds provided by the fourth article of the treaty between the United States and the Western Cherokees dated August 6 1846 to pay in with interest thereon at the rate of five per centum per annum from the 28th day of June, 1838, up to and until the modification of the decree; in addition to the sum of four thousand, one hundred and seventy-nine dollars and twenty-six cents ($4,179.26) and, as so

modified, &c. and the cause is hereby affirmed.

per Mr. Chief Justice Fuller.

(Mr. Justice Jackson did not sit in this cause or take any part in its decision)

Ex parte: In the matter of Stephen W. Carey et al. Petitioners.

Mr. Jeff Chandler, of counsel for the petitioners submitted to the consideration of the Court a motion for leave to file a petition for a writ of prohibition herein.

Ex parte: In the matter of The American Construction Company. 15. Original. Petitioner.

On motion of Mr. W. B. Hornblower, of counsel for the petitioner, it is now here ordered by the Court that the petition herein be, and the same is hereby, dismissed.

1179 Frank Collins Ayer in Error, v. The United States.

1180 Robert W. Hall, " " " " " " "

1203 John Evans, " " " " " " "

On motion of Mr. D. H. Garland, on behalf

of counsel. It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

607. The Illinois Central R.R. Co. Appt. vs. The People of the State of Illinois et al.
608. The City of Chicago, Appt. vs. The Illinois Central R.R. Co. et al.
609. The People of the State of Illinois Appt. The Illinois Central R.R. Co. et al.

On motion of Mr. B. A. Bristow, leave is hereby granted him to file by to-morrow morning printed opposition to the motion for an order granting the Clerk leave to issue the mandate in these cases.

The Chicago & Northwestern Railway Company,
1048 vs. Error to.
The City of Chicago.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John L. Walker, in support of the same, and Mr. W. C. Goudy, in opposition thereto.

The National Cube Works Co. vs. George William Patton. Appellant. The motion to recall the mandate and amend the decree in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. J. Curtis, in support of the same, and Mr. Horace Gracher and Mr. H. Nutter Phillips, in opposition thereto.

1298 Thomas E. Marshall, Assignee &c. vs. David M. Smith et al. Appellant. The motion to continue this cause until the next term, was submitted to the consideration of the Court by Mr. Alexander Porter Morse, in support of the same, and Mr. Benjamin F. Hitchings, in opposition thereto.

1299 The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company vs. Victor M. Backus, Treasurer et al. Plff. in Error. Mr. Thos Green Smith of counsel for the defendants in error,

The Indianapolis & Vincennes R.R. Co.
1390. vs. Plff. in Error
Victor W. Backus, Treasurer et al.
&
The Cleveland, Cincinnati, Chicago &
St. Louis Railway Company.
311. vs. Plff. in Error.
Victor W. Backus, Treasurer

Submitted to the consideration of the Court on motion to advance these cases.

Dolores G. Astiazaran et al.
43. vs. Appellants.
The Santa Rita Land & Mining
Company et al.

On motion of Mr. A. B. Browne of counsel for the appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

Mary J. Garner (formerly
Mary J. Graeffe).
265. vs. Appellant.
The Second National Bank
of Providence R. I., et al.

On motion of Mr. W. A. McKenney, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term, for stipulation of counsel.

W. J. Raney
154 v. Appellants.
Samuel L. Brown et al.

On motion of Mr. A. L. Burgwin, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Jason G. Miller ...
404 v. Pff. in Error.
Dominic G. Courtney.

Mr. G. W. Lamberton, in behalf of counsel for the plaintiff in error, suggested the death of Jason G. Miller, the plaintiff in error, and moved the Court to make Mary P. Miller, devisee of said Jason G. Miller, the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said Mary P. Miller, devisee of Jason G. Miller, deceased be, and she is hereby, made the party plaintiff in error in this cause.

Benjamin F. Secor.
276 v. Appellants.
Pre La Belle Wagon Works.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause

has been filed. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Louisville & Nashville Railroad Company. vs. Appellant. The Louisville Bridge Company. Appeal from the Circuit Court of the United States for the District of Kentucky.

205

The cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to furnish the transcript of the record. It is therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Lucien S. Brown et al. vs. Appellants. The Western Car Co. The argument of this cause was continued by Mr. A. B. Hop-

96

Kiss and Mr John W. Butler, of counsel for the appellee, and concluded by Mr. B. W. Cotton, of counsel for the appellants.

159. The Pittsburg & Southern Coal Co. vs. Peff. in Error. The State of Louisiana for use of the Charity Hospital of New Orleans. & The Pittsburgh & Southern Coal Co. vs. Peff. in Error. John W. Bates, Sheriff etc.

Ordered by the Court that these cases be and they are hereby continued until the next term.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January 11, 1898.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Melville W. Fuller, Chief Justice.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hugh L. Bond, Jr., it is ordered that Charles F. O'Beale, Esquire, of Hudson, N. Y. of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Martin it is ordered that Samuel H. Smith, Esquire, of Baden Springs,

State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Anderson it is ordered that Edward L. Pattinson, Esquire, of Galveston State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dixon and it is ordered that Charles M. Crutchfield and Oliver P. Mills, Esquires, of Missoula State of Montana be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

No. 9 Original. In the matter of W. W. Dixon, Petitioner
No. 7 Original. In the matter of W. W. Dyer, Petitioner
No. 10 Original. In the matter of W. W. Dyer, Petitioner.
No. 11 Original. In the matter of W. B. Evans, Petitioner.

On motion of Mr. J. Randolph Tucker, of

counsel for the petitioners. It is ordered by the Court that counsel for the petitioners and respondent be allowed two hours respectively for the argument of these cases.

The argument of these cases was commenced by Mr. Ira B. Joyce, of counsel for the petitioners, continued by Mr. Hiram L. Bond, Jr. of counsel for the respondent in Nos. 16, 18 & 19 and Mr. Joseph W. Barnwell, of counsel for the respondent in No. 17, and concluded by Mr. J. Randolph Tucker, of counsel for the petitioners.

A. R. Buchnell et al.
vs. Plffs. in Error.
The Crooke Mining and Smelting Company.

1905

The argument of this cause was commenced by Mr. A. R. Buchnell, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, April, 5th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Horace Gray.
Samuel Blatchford.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William Henry Brown it is ordered that Isaac E. Russell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Elsworth it is ordered that John A. Slattery, Esquire, of Cincinnati,

State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that A. J. Richelle Esquire of San Francisco State of Cal. formerly be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

188 Charles B. Smith et al vs. The Whitman Saddle Co. Appellants, Appellee. On motion of Mr. F. Mallett Phillips leave is hereby granted to file a printed brief on behalf of the appellee herein on or before Monday next.

195 A. B. Bushnell et al. vs. The Oroville Mining and Smelting Company. Writ of Error. The argument of the cause was continued by Mr. A. B. Bushnell of counsel for the plaintiffs in error and Mr. Frederic D. McKinney of counsel for the defendant in error and

concluded by Mr. J. A. Campbell of Counsel for the plaintiffs in error, and the cause was submitted on printed arguments by Mr. A. L. Brown and Mr. W. H. Bryant of counsel for the defendant in error.

Robert E. Langdon
vs. Appellant.
Caleb W. Bunn et al

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his appeal and failing to appear. It is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. C. W. Bunn of counsel for the appellee now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

The Richmond & Danville Railroad Company
99. vs. Pff. in Error.
Henry Ellis.

The argument of this cause was commenced by Mr Henry Jackson & counsel for the plaintiff in error and continued by Mr. R. Q. Jackson of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Horace Gray.

Samuel Blatchford.

David J. Brewer. Associate

Henry B. Brown. Justices

George Shiras, Jr.

Howell E. Jackson.

John W. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. O W Hawkins it is ordered that James Merrill Esq. of Esquire of Indianapolis, State of Indiana, be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

Stephen W Carey et al. vs. Appellants.
The Houston & Texas Central Railway Co. et al

Mr. Eppa Hunton in behalf of counsel for the appellants, submitted to the con-

consideration of the Court & ordered to advance the cause.

208 B. & S. Holden Collector &c. vs. Cliff in Error. Oscar L. Richmond et al. On motion of Edwin C. Smith of counsel for the defendants in error

It is ordered by the Court that the cause be, and the same is hereby passed

257 James C. Stoward vs. Cliff in Error. George W. Stowards. Ordered by the Court that the cause be and the same is hereby returned with the writ term, per stipulation of counsel.

199 The Richmond & Danville Railroad Company. vs. Pell in Error. Henry Elliot. The argument of the cause was continued by Mr. C. A. Ladson of counsel for the defendant in error, and concluded by Mr. Henry Jackson, of counsel for the plaintiff in error

Chesapeake & Ohio Railroad Company. vs. Jeff. in Error. Wagner & Co. et al.

200.

This cause was argued by Mr. Peyton Barrow, of counsel for the plaintiff in error, and Mr. Hoke Smith of counsel for the defendants in error.

Joseph N. Chandler. vs. Jeff. in Error. The Talmage & Sons Mining Company.

201.

The argument of this cause was commenced by Mr. J. K. Redding, of counsel for the plaintiff in error.

On motion being made the Court is duly adjourned until to-morrow at twelve o'clock.

Friday, April 7th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. Enoch Totten it is ordered that James Lee Bolgan Esquire of Baltimore State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion duly made to the Court in this behalf by Mr. B. Stuart Gentry it is ordered that

O. O. Schroeder and Henry C. Henderson Esquires of Salt Lake City, Territory of Utah, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Washington & Georgetown Railroad Company et al. vs. Peffs in Error. Leon Cobriner, Admr. etc.

On motion of Mr William A. McKenney, leave is hereby granted the Clerk to issue the mandate in this cause.

No 228.

William A. Brewer et al. vs. Peffs in Error The State of North Carolina.

In Error to the Supreme Court of the State of North Carolina.

This cause having been called to the attention of the Court by Mr. Samuel E. Phillips, of counsel for the defendants in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Joseph H. Chandler.
202. vs. Pff. in Error.
The Calumet & Hecla Mining Company.

The argument of the cause was continued by Mr. Ashley Pond and Mr. D. L. Chadbourne of counsel for the defendant in error, and concluded by Mr. J. W. Wilson of counsel for the plaintiff in error.

John D. Lee.
1181. vs. Pff. in Error.
Jane C. Brown.

Mr. James H. Brown, of counsel, suggested the death of Jane C. Brown, the defendant in error, and moved the Court to make Henry C. Brown Executor of the said Jane C. Brown, the party defendant in error in this cause. Whereupon, It is now here ordered by the Court that the said Henry C. Brown, Executor of Jane C. Brown, deceased, be, and he is hereby made the party defendant in error in this cause.

George E. Wilson.
284. vs. Pff. in Error.
The United States.

This cause was argued by Mr. C. Stuart Beattie, of counsel for the plaintiff in error.

Mr. Assistant Attorney General Parker, of counsel for the defendant in error.

Ex parte. In the matter of Albert Frederick Appellant.

1876

The argument of this cause was commenced by Mr. Frederic D. Allen.

Kinney, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April, 10th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Joseph M. O'Neall, Esquire, of Lebanon, State of Ohio, John Elden Bouvau, Esquire, of Springfield, State of Ohio and P. J. O'Donnell, Esquire, of Denver, State of Colorado, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Alexander B. McKinley, Esquire of Denver State of Colorado be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. G. Morris it is ordered that John W. Dickson, Esquire, of St. Louis, State of Missouri be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Wise Garnett it is ordered that A. J. Willis, Esquire of Darlington State of South Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A Sanders it is ordered that Daniel D. Goodell, Esquire of Brighton, State of Illinois be admitted to practice as an

attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John J Fuller it is ordered that Jesse E Barlow Esquire of Ogden Territory of Utah, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Swan Land & Cattle Co Limited. vs. Appellant. Appeal from the
150: Frank Frank, Administratrix of Circuit Court of
Joseph Frank deceased, Flora Bo- the United States
enbaum, Joseph Bonenbaum et al. for the Northern
District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, at the costs of the appellant: and that this cause be

and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill without prejudice.

per Mr. Justice Jackson.

Dissenting:

Mr. Justice Brown

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case).

James M. Grant. vs. Richard Walter. Appellant. Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

George Krementz. Appeal from the Circuit Court
vs. Appellant. of the United States for the
The S. Cottle Company. Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in conformity with the opinion of this Court.

per Mr. Justice Shiras.

The United States.
149. vs. Appellant.
The Union Pacific Railway Company et al.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado and

was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Brown.

The German Bank of Memphis, successor of the German National Bank of Memphis, Tenn. vs. The United States. — The Chemical National Bank of New York City. — Appellants. — Appeal from the Court of Claims.

693

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

178. J. S. Casement & Company. vs. Peffs. in Error. Samuel S. Brown & Harry Brown partners as W. H. Brown Sons. — In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Brewer.

176. The Board of Education of the City of Atchison, Kansas vs. Francis M. DeKay. Peff. in Error. — In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate for same that similar judgments bear in the Courts of the State of Kansas.

per Mr. Justice Brewer

Simon J. Lonergan & William Burke. Pltffs. in Error. In Error to the Supreme Court of the Territory of Utah.

205 vs.

Marcus B. Buford John W. Taylor and George Crocker.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, af-

firmed with costs.

per Mr. Justice Brewer.

Solon Humphreys & Thomas E. Gatt, Receivers of the Wabash, St. Louis & Pacific Railway Company.
167. vs. Appellants.
John K. Perry, Arthur J. Perry, James K. Perry & Grant A. Perry, partners under the firm-name of Perry Brothers.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the petition of the intervenors.

per Mr. Justice Blatchford

Hermann Isaacs.
112. vs. Pff. in Error.
Benjamin F. Jones, Collector
of the Port of New Orleans,
Louisiana.

In Error to the C
cuit Court of th
United States fo
the Eastern Dis
trict of Louisian

This cause came on to be heard on the tra
cript of the record from the Circuit Court o
the United States for the Eastern District o
Louisiana, and was argued by counsel. O
consideration whereof, It is now here ordere
and adjudged by this Court that the judg
ment of the said Circuit Court in this cause
be, and the same is hereby, affirmed with cost

per Mr. Justice Gray.

The United States.
53. vs. Pff. in Error.
Hermann Isaacs.

In Error to the Circuit Court
of the United States for the
Eastern District of Louisiana

This cause came on to be heard on the tran
cript of the record from the Circuit Court of
the United States for the Eastern District of
Louisiana, and was argued by counsel.
On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

419. The Illinois Central R.R. Co. Appt. vs. The City of Chicago et al.
608. The City of Chicago, Appt. vs. The Illinois Central R.R. Co. et al.
609. The People of the State of Illinois, Appts. vs. The Illinois Central R.R. Co. et al.

On consideration of the motion for an order that the mandate issue in these cases, and the suggestions in opposition to the same, It is now here ordered by the Court that the Clerk issue the mandate herein.

per Mr. Justice Field.

The National Tube Works Company.
70. ... vs. ... Appellant.
George William Ballou.

On consideration of the motion to recall the mandate and amend the decree in this cause, and of the argument of counsel there-

upon hand, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Thomas E. Pearsall, Assignee &c. vs. David Mc. Smith et al. Appellant. 198.

On consideration of the motion to continue this cause, until the next term and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Chicago & Northwestern Railway Company vs. The City of Chicago. Pff in Error. 1048.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby, postponed until the hearing on the merits.

per Mr. Chief Justice Fuller.

The Pittsburgh Cincinnati Chicago & St. Louis Railway Company.
1299. vs. Pff. in Error.
Victor W. Backus, Treasurer et al.

The Indianapolis & Cincinnati R.R. Co.
1300. vs. Pff. in Error.
Victor W. Backus, Treasurer et al.

The Cleveland, Cincinnati, Chicago & St. Louis Railway Company.
1311. vs. Pff. in Error.
Victor W. Backus, Treasurer.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be and the same are hereby granted, and the cases assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Stephen W. Carey et al. Petitioners.

On consideration of the motion for leave to file a petition for a writ of prohibition herein, It is now here ordered by the Court that said motion be, and the same

is hereby, denied.

per Mr. Chief Justice Fuller.

Stephen W Carey et al. vs. The Houston and Texas Central Railway Company et al. Appellants. 1918

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The State of Iowa. vs. The State of Illinois. Original — Complainant

This cause coming on to be heard upon the application of the State of Iowa for an order confirming the report of the Commissioners, presented herein ascertaining and making the boundary line between the State of Illinois and the State of Iowa, at the Keokuk and Hamilton Bridge, at Keokuk, Iowa, It is ordered that the said report be, and the same is hereby, confirmed: and it is further ordered that said Commissioners proceed to determine and mark the boundary line between said States throughout its extent and report thereon

to this Court with all convenient speed and that the order herein entered on March, 7th, 1893, be, and it is hereby, modified in accordance herewith.

per Mr. Chief Justice Fuller.

Morris B. Martin & Carrie B. Martin. vs. Henry Snyder, Jr. surviving partner of the firm of P. W. Bugg and Sons.

131. Appellants.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellants: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render a decree against the defend-

suits for costs in that Court, and to remand the case to the State Court.

per Mr. Chief Justice Fuller.

Francis Lizza. In Appeal from the Circuit
186 vs. Appellant. Court of the United States
Patrick Pierman, Sheriff for the Eastern Dis-
of Galveston County, Texas trict of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Mr. Henry Ellis Sturtevant, of counsel for
Thomas D. Bruce. the petitioner, sub-
Petitioner. mitted to the con-

sideration of the Court a petition for the allowance of a writ of error to the United States

Circuit Court of Appeals for the Eighth Circuit.

J. L. Sperry & W. J. Furniss, partners doing business under the firm name of J. L. Sperry & Co., Mary J. Savage & L. S. Darbaud. Appellants.

1322. vs.

E. A. Lewis.

The following Bill of exceptions for the appellee, having filed in open Court the following certificate, to wit:

"In the Supreme Court of the State of Washington.

I, C. S. Reinhart, Clerk of the Supreme Court of the State of Washington, and as such, custodian of the records of the late Supreme Court of the Territory of Washington, do hereby certify that in a certain cause lately pending in said Supreme Court of the Territory of Washington, wherein J. L. Sperry and W. J. Furniss, partners, doing business under the firm name of J. L. Sperry & Co. and Mary J. Savage and L. S. Darbaud were appellants, and E. A. Lewis, was appellee, a final decree was entered by said Supreme Court of the Territory of Washington on the 6th day of March, A.D. 1889, in favor of said appellee and against said of-

petitants, and that on the 7th day of March, A.D. 1889, said appellants prayed an appeal to the Supreme Court of the United States which was allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of the said Supreme Court of the State of Washington, at Olympia, this 22d day of March, A.D. 1893.

[Seal.]

C. S. Reinhart,
Clerk."

moved the Court to docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court: It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the Territory of Washington, be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Washington to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Monday, April 10th 1893. Continued

The Ottawa, Oswego & Fox River Valley Railroad Co. vs. O. Mason. Appellant

242

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. George A. Saunders of counsel for the appellee, and a stipulation of counsel for the respective parties to dismiss this cause having been filed. Therefore in pursuance of said stipulation. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Ottawa, Oswego & Fox River Valley R.R. Co. vs. O. Mason. Appellant.

242

On motion of Mr. George A. Saunders of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

In parte In the matter of
Albert Frederick.
1306 Appellant.

The argument of this cause was concluded by Mr. Frederick O. Ellis.

Kinney & counsel for the appellant, and a print ed argument was submitted by Mr. W. Jones for the State of Washington.

John Nix et al.
137 vs. Error to Circ
E. L. Hedden, Collector &c.

Mr. Assistant Attorney General Kinney, of counsel for the defendant in error, suggested the death of E. L. Hedden, the defendant in error, and moved the Court to make Elizabeth A. Hedden Administratrix of the said E. L. Hedden, the party defendant in error known. Whereupon, It is now here ordered by the Court that the said Elizabeth A. Hedden, Administratrix of Edward L. Hedden, deceased, late Collector of the Port of New York, &c, and she is hereby, made the party defendant in error in this cause.

E. L. Hedden, Collector etc. ... Mr. Assistant Attorney General Maury, of counsel for the plaintiff in error, suggested the death of E. L. Hedden, the plaintiff in error, and moved the Court to make Elizabeth C. Hedden, Administratrix of the said E. L. Hedden, the party plaintiff in error herein. Whereupon, It is now here ordered by the Court that the said Elizabeth C. Hedden, Administratrix of Edward L. Hedden, deceased, late Collector of the Port of New York, be, and she is hereby, made the party plaintiff in error in this cause.

208. ... vs. ... Pffs. in Error.

Oscar L. Richards et al.

Frederick Hollander et al. ... This cause was argued by Mr. E. G. Smith of counsel for the plaintiffs in error, and submitted by Mr. Assistant Attorney General Maury, of counsel for the defendant in error.

172. ... vs. ... Pffs. in Error.

Daniel Magone, Collector etc.

Catharine L. Dobson. ... The argument of this cause was commenced by Mr. A. S. Brown

206. ... vs. ... Appellant.

Edwin J. Cubley et al.

of counsel for the appellant, and continued by Mr. Howard Henderson, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday April 11th 1876

Pursuant to adjournment the Court met to-day at the Capitol

Present:

The Honorable Waite C. Justice
Nathan Clifford
Noah Swayne
Samuel Miller Associate
David Davis Justices
Joseph P. Bradley
Ward Hunt &c.
Stanley Matthews &c.

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. O. P. Dyer it is ordered that David Goldsmith, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William O. McKenney it is

ordered that E. A. Mc. Calmont, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Lowry it is ordered that Philip Cullingford, Esquire, of Moscow, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Gabe Meyer & B.S. Meyer. Appeals from the
296 vs. Appellants. Circuit Court
O. Backer. of the United
& States for the
O. Backer. Appellant Eastern District
306 vs. of Arkansas.
Gabe Meyer et al.

It appearing to the Court that a stipulation of counsel for the respective parties to this cause has been filed. Therefore, in pursuance of said stipulation, It is ordered

were ordered stricken out and directed by the Court that these appeals be, and the same are hereby dismissed.

per Mr. Chief Justice Fuller.

Catharine A. Kelsey
206. vs. Appellant
Edwin J. Cubley et al.

Mr. Argument of the cases was concluded by Mr. Stanwood for the appellee, and concluded by Mr. A. J. Browne, of counsel for the appellants.

John Cadwalader, Collector etc.
31. vs. Plff. in Error.
John Wanamaker et al.

James K. Walker and Co.
151. vs. Plffs. in Error.
O. H. Leberman, Collector etc.

And

Sallie D. Hartranft, Executrix etc.
860 vs. Plff. in Error.
Charles H. Meyer et al.

Ordered by the Court that counsel in said cases be allowed three hours for the argument of these cases and that three hours be allowed to argue the cases for the defendants in error in Nos. 31 and 860, and plain-

Tyffe in error in No. 151.

The argument of these cases was commenced by the Solicitor General (Mr. Finch), of counsel for the plaintiffs in error in Nos. 31 and 860 and defendant in error in No. 151, and continued by Mr. O. H. Garland, of counsel for the plaintiffs in error in No. 151, and Mr. E. P. Richards, of counsel for the defendants in error in Nos. 31 and 860.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 10th 1895.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. B. H. Dunn it is ordered that William A. Adams, Esquire, of Minneapolis State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. E. Newcomb it is ordered that

James P. Augst. Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Dunlop, Dick & Co. Appeal from the Circuit Court
218 vs. Appellants. of the United States for the
Frederick A. Brush. Southern District of New York.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the Transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John Eastwaker, Collector &c. The argument
31. vs. Pltf. in Error. of these cases
John Wanamaker et al. was continued by Mr.
James H. Walker and Co. W. P. Prichard,
151. vs. Plts. in Error. & Mr. Joseph
O. P. Lederer, Collector &c.

Sallie D. Hartwell, Executrix &c. vs. Ex parte Charles F. Meyer et al. — F. Nevitt, of counsel for the defendants in error in Nos. 31 and 960, and concluded by Hon. Solicitor Hayward Aldrich, of counsel for the defendants in error in Nos. 31 and 960 and defendant in error in No. 151.

207. Harlick Nichols, Master &c. vs. The British Steamship "Levis" &c. Appellant. — The argument of this cause was commenced by Mr. Geo. E. Wilcox, of counsel for the appellant.

Good and Additional Rules of the Court is ordered until To-morrow at twelve o'clock

Thursday, April 13th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Samuel Blatchford.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. John B. Minor it is ordered that Cornelius Eugene Kent, Esquire, of New York City, and Edward S. Yager, Esquire, of Chattanooga, State of Tennessee be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this day by Mr. W. B. Gilbert it is ordered that Edward

W. Harraker, Esquire, of Jonesboro State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank D. Sturgis it is ordered that Paul Fuller and Matthew Daly, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

James Waldie, as Committee of Person & Property of Numidas Dick.

219. vs. Appellant.

Frederick A. Seibel.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, on pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same

is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Murdock Hughes, Master &c. Appellant. The argument of
207 vs. this cause was
The British Steamship Lennie, &c. continued by
Mr. John B. Par-
sons of counsel for the appellant, and Mr. Francis
R. Sturges of counsel for the appellee, and concluded
by Mr. John E. Parsons of counsel for the ap-
pellant.

The City of Paris. The argument of this cause
210 vs. Pigs in Error. was commenced by Mr.
Joseph Jones. W. B. Hubbell, of counsel for
the plaintiff in error, and
continued by Mr. George A. Sanders, of counsel
for the defendant in error.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Friday, April 30th, 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Stephen J. Field

Noah H. Swayne.

Samuel F. Miller.

David J. Brewer.

Stephen J. Field

Noah H. Swayne

Samuel F. Miller

David J. Brewer

John M. Wright, Esquire Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. John C. Dillon it is ordered that William J. Buglisi, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. D. M. Wilson it is ordered that

Allison Mayfield, Esquire, of Nicaragua, State of Peru, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Chauncey B Butler
1192 vs. Pltf. in Error.
The American Emigrant Co.

In Error to the Supreme Court of the State of Iowa.

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the defendant in error, and on stipulation of counsel for the respective parties to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Chauncey B Butler.
1193 vs. Pltf. in Error.
The American Emigrant Co.

On motion of Mr. Frederic D. McKenney, of counsel for the defendant in error, leave is hereby granted the Clerk to issue

the record in this cause.

Ex parte: In the matter of Mary W. Black, Petitioner. Mr. Thomas Terry, one of counsel for the petitioner, submitted to the consideration of the Court a petition for a writ of injunction or other relief.

No. 210. The City of Cairo, Plff in Error, vs. Joseph Bauer. On argument of the cause was conducted by Mr. George F. Hunter, of counsel for the defendant in error.

No. 220. Wilson & Jones, Plff in Error, vs. Adolph Baer et al. This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. A. H. Garland and Mr. H. J. Way, of counsel for the plaintiff in error, and Mr. David Goldsmith, Mr. L. C. Daniels & Mr. W. F. Hutchings, of counsel for the defendants in error.

311. The Union Pacific Railway Co: Plff in Error. vs. Henry Goodridge et al. Deft in Error.

The argument of these two cases commenced by Mr. John F. Dillon, of counsel for the plaintiff in error, & continued by Mr. R. L. Rogers, of counsel for the defendants in error.

312. The Union Pacific Railway Co. Plff. in Error. vs. E. R. Gaggart.

Deft. in Error.

Examinations being made, the Court is adjourned until Monday next at Twelve o'clock.

Monday April 17th 1848.

Pursuant to adjournment the Court met
to day at the Capitol

Present

The Honorable Victoria W. Cullen Esq Justice
Myer J. Paine
Horace Henry
Samuel S. Catlin Associate
David E. Brewer. Justices
Henry E. Brewer.
Hiram Henry Esq
Sewell E. Jackson
John W. Wright Esq. Marshal
James H. Van Henry Clerk

Proclamation being made the Court is opened

On motion first made to the Court in the
behalf by Wm. Lucien Esquire it is
ordered that Henry Thompson Brewer of
New York City, be admitted to practice as an
Attorney and Counsellor of this Court and he
was sworn accordingly

On motion first made to the Court in this
behalf by Wm. William A. Maury it is ordered

that F. J. Lauck, Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that William Grant Webster, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Willis Church it is ordered that C. N. Gunckel, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr O. N. Garland it is ordered that Lewis D. Johnson, Esquire of Urbana, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Scallett Phillips it is ordered that George C. Webb, Esquire of Chattanooga State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Clarence D. Lamoreux, Esquire of Ashland, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Chicago Milwaukee & St. Paul Railway Company. vs. Pltff. in Error. Alfred M. Hoyt, Theodore S. Hubbard, Edward Mitchell & H. L. Hunter, executors of Jesse Hoyt & Henry A. Smith deceased for use of Munger, Wheeler and Company.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendant for the sum of $7,223.30, with interest thereon from October 1st, 1889, the date of the judgment below.

per Mr. Justice Jackson.

(The Chief Justice, having been of counsel, and Mr. Justice Field, not having heard the argument, took no part in the consideration or decision of this case)

A. R. Bushnell, John G. Clark,
Adolph Wallbaum, Joseph Wallbaum, In Error to the
John Schreiner, Fred J. Miller Supreme Court
and A. A. Bock. of the State of
195. vs. Plffs. in Error. Colorado.
The Brooke Mining & Smelting
Company.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr. Justice Jackson

Mr. Justice Field did not sit in this case or take any part in its decision.

Ottawa Paw-to-pee & 1371 Other
Pottawatomie Indians of Michigan
and Indiana.

(125) vs. Appellants. Appeal from the
The United States. Court of Claims.

To

The Pottawatomie Indians of Mich
igan and Indiana.

(133) vs. Appellants
The United States.

This cause came on to be heard on the Transcript of the record from the Court of Claims on separate appeals, and was argued by coun-

and the consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Strong.

John W. Howard, Administrator of Mahama Boyle, deceased. vs. Murry Hubert Jacob Risting and James A. Steele. } In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs: and that this cause be, and the same is hereby remanded to the Supreme Court of the State of Montana.

per Mr. Justice Strong.

Jonah Parrish, A. Alfreds, J. J. — In Error to the
Willard, Alfred Anderson et al. — Supreme Court
183. — vs. — Plff. in Error. — of the State of
The City of Portland, John Gates, — Oregon.
Mayor, et al.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Brewer.

(Mr. Justice Field did not hear the argument or take any part in the decision of this case).

The Richmond & Danville Rail- — In Error to the
road Company. — Circuit Court
200. — vs. — Plff. in Error. — of the United
Waggie L. Powers, Homer W. — States for the
Powers & Lula W. Powers by their — Northern Dis-
next friend and guardian ad — trict of Georgia.
litem, C. G. Reed.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Georgia.

per Mr. Justice Brewer.

The National Mills Company. Appeal from the Circuit
vs. Appellant. Court of the United
The Board of Water Commissioners of the City of Yonkers. States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Board of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in

this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

Sarah R. Mexia and B. A. Mexia, her husband. vs. D. J. Oliver. In Error to the Circuit Court of the United States for the Northern District of Texas.

182 Sup. in Error

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Justice Blatchford.

George E. Wilson. vs. The United States. In Error to the District Court of the United States for the Northern District of Illinois.

18 Sup. in Error

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with directions to order a new trial.

per Mr. Justice Field.

Mr Chief Justice announced that the Court would cause the call of the docket for the term on Friday, the 28th inst. next.

The City of St. Louis
vs. Err. in Error
The Western Union Telegraph Company.

It is ordered by the Court that leave to and the same is hereby granted counsel for the defendant in error to file a petition for rehearing herein, and it is further ordered that counsel on both sides be allowed to file a brief or so be-

for Friday the 28th inst. upon the question whether the City of St. Louis has such interest in and control over the Streets, alleys and public places within its limits as authorizes it to impose upon the Missouri Pacific Railway Co. the nature of a tax for the enclosure of portions thereof in the manner stated.

per the Chief Justice Fuller.

In parte In the matter of Mary M. Black. Petitioner. It is ordered by the Court that the motion to leave to apply to the Court for a writ of error be, and the same is hereby, denied.

per the Chief Justice Fuller.

In parte In the matter of Thomas A. Price. Petitioner. It is ordered by the Court that leave to file a petition for a writ of error therein be, and the same is hereby, denied, without prejudice to an application for such writ to any Justice of this Court

per the Chief Justice Fuller.

	Ex parte: In the matter of William H. Gaines et al.	On consideration of the motions to amend the judgments herein so as to provide for the recovery of costs,
12.	Originals. Petitioners.	
	By	
	Ex parte: In the matter of William H. Gaines et al.	
13.	Original. Petitioners.	

It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

	A. C. Moses et al.	It is ordered by the Court that leave be, and the same is hereby, granted, counsel for the plaintiffs in error to file an additional brief herein instanter, and that counsel for the defendant in error be given one week within which to file a reply thereto.
166	vs. Pffs. in Error.	
	The National Bank of Lawrence County.	

per Mr. Chief Justice Fuller.

Wilson Vs. Noyes

25. vs. Writ of Error to the
Adolph Baer, Simon Leasowood & Louis Berman, partners under the firm name & style of Baer, Leasowood and Co. United States Court for the Indian Territory.

This cause came on to be heard on the transcript of the record from the United States Court for the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged, the Court being equally divided in opinion that the judgment of the said United States Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Indian Territory.

Charles B. Smith, Benjamin A. Bowen & Olcott B. Cotton partners as Smith, Bowen and Company. Appeal from the Circuit Court of the United States for the District of Connecticut.

88. vs. Appellant
The Whitman Saddle Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill.

per Mr. Chief Justice Fuller.

The United Lines Telegraph Company et al. vs. The Boston Safe Deposit & Trust Co. Appellants. 10 Mr. William C. Wilson, of counsel for the appellees, submitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in this cause.

John E. Alexander et al. Executors &c. vs. John Maclean et al. Appellants. 61 Mr. Thomas A. Black, of counsel

for the appellees submitted to the consideration of the Court on motion for an order granting the Clerk leave to issue the mandate in this cause.

125 Phineas Barnes et al vs. Appellants / The United States et al

On motion of Mr. George L. Bedinger of counsel for the appellants in the 1133 cause it is ordered by the Court that leave be granted the Clerk to issue the mandate in those causes.

1133 The Miami Tribe of Indians of Michigan and Indiana. vs. Appellants. / The United States.

122. The Continental Steamboat Co. vs. Plff. in Error. / John H. Burke, Admr., etc.

On motion of Mr. W. G. Morris, of counsel for the defendant in error leave is hereby granted the Clerk to issue the mandate in this cause.

312. The Texas & Pacific Railway Co. vs. Plff. in Error. / Ida May Anderson et al.

This cause was submitted to the consideration

of the Court on the record and printed arguments by Mr. John F. Dillon, Mr. W. J. Pierce and Mr. Harry Stubblefield, of counsel for the plaintiff in error, and Mr. W. Hallett Phillips, of counsel for the defendant in error.

1192 The Mexican Central Railway Co. vs. Plff. in Error. Alexander Pinkney. The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. P. Walton, Mr. A. G. Brown and Mr. J. Lewis Stockpole, of counsel for the plaintiff in error and Mr. Samuel F. Phillips and Mr. Frederic D. McKenney, of counsel for the defendant in error.

1197 John A. Wash. vs. Appellant. George W. Hawthorne. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Louis D. Johnson in support of the same.

John Brown Donald
vs. Appellant
Nelly M. C. Brown.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments of Mr. Howell Martin in support of the same and Mr. Robert Ould in opposition thereto.

170.

The Joliet Manufacturing Co.
vs. Appellants.
The Keystone Manufacturing Co., et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

150.

Walter C. Johnson.
vs. Appellant.
Laura V. Cowling et al.

Appeal from the Supreme Court of the District of Columbia.

226.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 17th rule of this Court, now here ordered, adjudged and decreed by

the Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Union Pacific Railway Co. Plff in Error.
vs.
Henry Goodridge et al.

&

The Union Pacific Railway Co. Plff in Error.
vs.
E. R. Taggart,

The argument of these cases was continued by Mr. C. J. Stevens of counsel for the defendants in error, and concluded by Mr. J. M. Wilson of counsel for the plaintiff in error.

Ex parte: In the matter of
Milton Stumes et al. Petitioners.
Original.

This case was argued by Mr. W. Hallett Phillips of counsel for the petitioners and Mr. George F. Wilds of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday April 11th 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
Horace Gray
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

Milton L. Baer. Mr. John H. Mitchell, of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

192. vs. Jeff. in Error.
Moran Brothers Company.

Jacob C. Wann
vs. Appellant.
The Tacoma Land Co.

Wm. F. H. McPherson, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

634

Thomas E. Darsall, Assignee &c.
vs. Appellant.
David W. Smith et al.

This cause was argued by Wm. Benjamin G. Hitchings, of counsel for the appellant. The Court declined to hear counsel for the appellees.

198.

Allan C. Dalzell et al.
vs. Appellant.
The Dueber Watch Case Manufacturing Co.

The argument of these cases was commenced by Wm. J. B. Brennan, of counsel for the appellants & continued by Mr. James Moore, of counsel for the appellees.

215.

and

Allan C. Dalzell et al
vs. Appellants.
The Dueber Watch Case Manufacturing Co.

214

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April, 19th, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford
David J. Brewer.
Henry B. Brown.
George Shiras Jr
Howell E. Jackson.
} Associate Justices

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

George B Wilson. vs. City in Error. The United States

On motion of Mr. Solicitor General Aldrich, leave is hereby granted the Clerk to issue the mandate in this cause.

243. John H. Gordon et al. Appts. vs. B. H. Warder et al.
244. John H. Gordon et al. Appts. vs. Abel Hoover et al.
245 John H. Gordon et al. Appts. vs. The Thompson Meehan Co

214 John H. Goodlow et al. Appts. vs. Whitely Trustee &c. Kelly.

On motion of Mr. Edmund Wetmore, of counsel for the appellee, It is ordered by the Court that these cases be, and they are hereby, continued until the next term, per stipulation of counsel.

215 Elizabeth C. Mc Court, Executrix &c. vs. Appellant. George A. Crooks et al. Admrs. &c. and George A. Crooks et al. &c., Admrs. &c. vs. Appellants. Elizabeth C. Mc Court, Executrix &c.

216

On motion of Mr. George H. Bliss of counsel, It is ordered by the Court that these cases be, and they are hereby, passed.

213 Allan B. Ralph et al. vs. Appellants. The Dueber Watch Case Manufacturing Co.

214 Allan B. Ralph et al vs. Appellants. The Dueber Watch Case Mfg. Co.

The argument of these cases was continued by Mr. James Wilson of counsel for the appellee, & concluded by Mr. El-

mund Wetmore of counsel for the appellants.

217 John R. Underwood et al vs. Appellants
Henry Herbert et al

The cause was argued by Mr. Lewis Stone Pifford of counsel for the appellants and Mr. A. V. Brown of counsel for the appellees.

221 Henry H. Porter et al. vs. Appellants.
Dwight W. Sabin et al.

The argument of the cause was commenced by Mr. J. W. Brown of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, April 20th 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Associate Justices.

John F. Wrenn Esquire, Marshall.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. William Henry Brown it is ordered that William C. Arnold and Edward E. McCall, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

229. The United States. vs. Appellant. Charles A. Snyder et al. This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. Assistant Attorney General Maury, of counsel for the appellant, and Mr. B. F. Jonas, of counsel for the appellees.

230. The United States vs. Peff. in Error. Mrs. Anna M. Dumas et al. This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed arguments.

231. The United States vs. Peff. in Error. Mrs. Anna M. Dumas et al. This cause was submitted to the consideration of the Court on the record, with leave to counsel to file printed arguments.

234. The United States. vs. Peff. in Error. Moses Mock. In Error to the Circuit Court of the United States for the Northern District of California

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said authority It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Henry N. Porter et al. vs. Appellants. / Dwight M. Sabin et al.

221

The argument of this cause was continued by Mr. J. M. Flower, of counsel for the appellants, and Mr. C. H. Davis, of counsel for the appellees, and concluded by Mr. J. M. Flower, of counsel for the appellants.

C. L. Hollins Jr et al. vs. Appellants. / The Brierfield Coal and Iron Company et al.

219

Mr. J. Goulden, of counsel for the appellants, suggested the death of Preston B. Plumb and George J. Leary, two of the appellees in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties.

Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Preston B. Plumb and George I. Seney, deceased, so aforesaid, shall voluntarily become parties within the first few days of the ensuing term of this Court, the appellants shall be entitled to open the record, and, on hearing, have the decree reversed, if it be erroneous. Provided however, That a copy of this order shall be printed in some newspaper of general circulation within the State of Alabama, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

The Metropolitan National Bank of New York.
vs. Appellant.
The St. Louis Dispatch Co. et al.

Mr. John M. Dickson, of counsel for the appellant, submitted to the consideration of the Court a stipulation of counsel that O. Gibson and William L. Davis Directors of the Dispatch Publishing Company at the time of its dissolution, and The Pulitzer Publishing Company be made parties appellees herein

224. The Metropolitan National Bank of New York. vs. Appellant. The St Louis Dispatch Co. et ab.

The cause was argued by Mr. John W. Dickinson, of counsel for the appellant and Mr. C. B. Gibson, of counsel for the appellee.

225. Edward W. Leggett. vs. Appellant The Standard Oil Co.

The argument of this cause was commenced by Mr. Edmund Wetmore, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday April 2d 1875

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.

Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David Davis. Justices
Nathan Clifford.
Noah H. Swayne
Miller Strong
Joseph P. Bradley

John M. Wright Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. Edmund Wetmore it is ordered that Edwin W. Ely, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. W. Dudley it is ordered that

Thomas J. Study, Esquire, of Richmond, State of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

The Georgia Infirmary for the Relief and Protection of Aged & Afflicted Negroes

1146. vs. Appellant.

Harriet Cazenove Jones and Frank Cazenove Jones, Administrators with the will annexed of the estate of Nathaniel B. Jones deceased.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Charles C. Beaman, of counsel for the appellee, and in consideration of counsel for the respective parties to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The City Council of Augusta. Appeal from the
147 vs. Appellant Circuit Court of
Harriet Cazenove Lowe by Frank the United States
B. Price Executrix & c. the for the Southern
will annexed of the est. of District of New
Cazenove G. Lamar, deceased York.

This cause coming on to be called to the attention of the Court by Mr. Charles C. Beaman, of counsel for the appellee and a stipulation of counsel for the respective parties to dismiss this cause having been filed. Therefore on consideration of said stipulation, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The District of Columbia. Ordered by the
235 vs. Pff. in Error Court that the
Waldon & Church et al mandate be, and
& the same are hereby,
The District of Columbia continued un-
237 vs. Pff. in Error til the next Term,
J. Harrison Johnson. for stipulation
of counsel.

The Minneapolis & St. Louis Railway Co.
240. vs. Pff. in Error.
Henry G. Bunnell.
By
The Minneapolis & St. Louis Railway Co.
241. vs. Pff. in Error.
Ole Nelson.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Albert E. Clarke, of counsel for the plaintiff in error, and Mr. Edward J. Hill, of counsel for the defendants in error.

Lemuel Coffin et al
249. vs. Appellants.
Lucius L. Day et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Fuller.

Edward W. Leggett.
226. vs. Appellant.
The Standard Oil Co.

The argument of this cause was continued by Mr. Edmund Wilmore, of counsel for the appellant, and Mr. Charles B. Beaman, of counsel for the appellee, and concluded by Mr. Edmund Wilmore, of counsel for the appellant.

Albert L. Ide.
227. vs. Appellant.
The Ball Engine Co. et al.

This cause was argued by Mr. C. K. Offield, of counsel for the appellant, and Mr. A. S. Burgess and Mr. J. D. Gallagher, of counsel for the appellees.

Elizabeth L. Hager, Executrix etc.
232. vs. Plff. in Error.
C. H. Sturgiss.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. [illegible] and Attorney General Parker, of counsel for the plaintiff in error, and Mr. Charles [illegible], of counsel for the defendant in error

233. The United States. vs. Pff. in Error. Moses Wilcox. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Parker of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

235. The United States. vs. Pff. in Error. John W. Humphreys et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Parker of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

236. The United States. vs. Plaintiff. Robert F. Rodgers. This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed briefs on or before the 25th. inst. and.

247 Belle H. B. Wade et al Executrix. Appellants
vs.
The Chicago Springfield & St. Louis R. R. Co. et al

Dallas B. Scott, Executor
248 vs. Appellants
Belle H. B. Wade et al Executrix.

Cause come submitted to the consideration of the Court on the record and printed arguments by Mr. B. F. Thomas and Mr. D. P. Wheeler, of counsel for the appellants in No. 247 and appellees in No. 248, and Mr. Adrian H. Joline, of counsel for the appellees in No 247 and appellant in No. 248.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock

Monday, April, 2nd, 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Motions being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Purdy Lupin it is ordered that Thomas W. Harper, Esquire, of Terre Haute, State of Indiana be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. L. Russell it is ordered that

Edmund W. Pettus, Esquire, of Selma, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. H. C. Compkins it is ordered that Gaston A. Robbins, Esquire, of Selma, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. Mc. Kenney it is ordered that J. G. Kolaud, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

In parte: On the matter of Albert Frederick. Appellant. | Appeal from the Circuit Court of the United States for the District of Washington.

1905

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the District of Wyoming and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the order of the said Circuit Court in the cause be, and the same is hereby, affirmed.

per Mr. Justice Jackson.

Joseph A. Chandler
vs.
The Calumet & Hecla Mining Company.

In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson

(Mr. Justice Reed did not hear the arguments in this case or take any part in its decision)

(Mr. Justice Brown being interested in the result did not sit in the case and took no part in its decision).

Lucius L. Thomas Daniel R. Thomas Thomas C. Simpson, et al.

vs.

The Western Car Company.

Appellants.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

196.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be and the same is hereby remanded to the said Circuit Court with directions to modify the decree in accordance with the opinion of this Court.

per Mr. Justice Shiras.

Catharine L. Osborn
vs. Appellant.
Edwin A. Cubby & George
Van Gaudt.

Appeal from the Circuit Court of the United States for the Southern District of New York.

206

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

William F. Patrick
vs. Appellant.
Dennis C. Slattery.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

57

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the

decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Brown.

Dissenting:

Mr. Chief Justice Fuller.

Mr. Justice Brewer.

(Mr. Justice Field did not sit in this case and took no part in its decision)

The City of Cairo. In Error to the Circuit Court
210 vs. Pegg in Errors. of the United States for the
Joseph Jane. Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid at the same

rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Brewer.

Patrick Nichols, Master of the Belgian Steamship "Vaderland."		Appeal from the Circuit Court of the United States for the Southern District of New York.
207.	vs.	
The British Steamship "Servia," her engines &c., The Cunard Steamship Company Limited, Claimant.	Appellants.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Blatchford.....

The Northern Pacific Railroad Company.

156 vs. Appellant.

W. Whalen C. J. Brooks & Way Subra, doing business under the firm-name of C. J. Brooks and Company, et al.

Appeal from the Supreme Court of the Territory of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs: and that this cause be and the same is hereby, remanded to the Supreme Court of the State of Washington per Mr. Justice Gray.

John S. Alexandre et al., Executors etc.....

vs. Appellants.

John Wachsen et al.

Our consideration of the motion for leave to the Clerk to issue the mandate in this case

It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The United Lines Telegraph Company et al. vs. Appellants. The Boston Safe Deposit and Trust Company. 1086

On consideration of the motion for leave to the Clerk to issue the mandate in this cause, It is now here ordered by the Court that said motion be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

John Evans Cornell. vs. Appellant. Nelly A. C. Green. 1171

It is ordered by the Court that the further consideration of the motion to dismiss herein be, and the same is hereby postponed until the hearing on the merits.

per Mr. Chief Justice Fuller.

Jacob C. Mann. vs. Appellant. The Cocoa Land Company. 539

On consideration of the motion to advance this cause;

It is now here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice to its renewal at the next term.

per Mr. Chief Justice Fuller

Milton L. Baer.
992. vs. Plff. in Error.
Moran Brothers Company. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby, denied, without prejudice to its renewal at the next term.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Milton Stumes & C. C. Harris.
20. Original. ... Petitioners. On consideration of the petition for a writ of mandamus herein, the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller

17. Original. Ex parte In the matter of W. V. Tyler. Petitioner. On consideration of the petition for a writ of habeas corpus herein, the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be and the same is hereby denied.

per Mr. Chief Justice Fuller.

(Mr. Justice Field took no part in the decision of this case.)

18. Original. Ex parte: In the matter of W. W. Riser. Petitioner. On consideration of the petition for a writ of habeas corpus herein, the return to the rule to show cause and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

(Mr. Justice Field took no part in the decision of this case.)

Ex parte: In the matter of W. V. Tyler. 18. Original. Petitioner.

On consideration of the petition for a writ of habeas corpus herein the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

(Mr. Justice Field took no part in the decision of this case).

Ex parte: In the matter of W. B. Gaines. 19. Original. Petitioner.

On consideration of the petition for a writ of habeas corpus herein, the return to the rule to show cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that the said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

(Mr. Justice Field took no part in the decision of this case).

The Attorney General addressed the Court as follows:

I have been requested, if your Honors please, to present to the Court the resolutions of the bar upon the occasion of the death of the Hon. Justice Lamar. In undertaking that duty I have no hesitation in saying that the resolutions, which I shall presently read, do but simple justice to the character of your late associate and in no way exaggerate either the great loss of the whole community or the profound affliction of a very large circle of friends and acquaintances. Under any circumstances the death of a justice of this Court is of pre-eminent importance. Though the Court remains an element disappears which had vitally affected its deliberations and its results to be succeeded by a new one different to some extent in the nature of things and possibly of a wholly diverse character. Thus, as one depart and another assumes his place, a new order of things arises, all the more surely because it comes insensibly and almost by stealth:

It is a new order of the greatest moment because in the scope and extent of its jurisdict

ion and power, as touching on the one hand the private rights of every one of this multitude of people and dealing on the other hand with the collective rights of numerous populous communities and sovereign States, no court like it or even strongly resembling it has ever existed among men. To have sat upon such a Court without reproach and without discredit, may well fill to the full measure of the loftiest ambition. With Mr. Justice Lamar has passed away not merely a lawyer and a judge, but a notable historical figure. It may have been his misfortune as a lawyer though certainly his good fortune as a man, that his lot was cast in tempestuous times — in times which, however adverse to the acquisition of technical skill, always and inevitably develop whatever there is in a man of intellectual and moral greatness. He was born when the echoes of the sectional contest over the admission of Missouri into the Union — that issue which startled Jefferson "like a fire bell in the night" — were still resounding throughout the land. He was a mere youth when the Missouri Compromise was succeeded

by another, and the spirit of discord was laid for a time by the tempered firmness and moderation of General Jackson.

He had hardly entered upon the practice of the law when North and South again came into violent collision over the fugitive slave law and the extension of slavery into the Territories. He went with his section and his State in the civil war that followed only two years later, and supported their cause with equal devotion on the battlefield and in the forum. Always and under all circumstances he was a leader, not merely followed and obeyed, but implicitly trusted and sincerely loved. He continued to teach men more decisively and on a larger field when arms were laid down, and to him more than to any other one man, North or South, is due the adoption by both sections and acquiescence of those elements of moderation and magnanimity and wisdom which have made the edifice of our constitutional Union more impregnable to all assaults than ever before. But this eventful and stormy career, these engrossing and exciting occupations and achievements of the soldier and statesman

and patriot, necessarily interrupted and prevented that exclusive devotion to the science of jurisprudence and that constant familiarity with its practical application in the administration of justice which that position requires, the bar, universally speaks of all her former men.

I do not believe that Mr. Justice Lamar ever practiced law, as his sole or chief occupation, for any one term of five consecutive years; I am unable to discover that he could have made the practice of the law his sole or principal pursuit for more than two or twelve years in all. And it is the greatest possible tribute to his natural genius, to his legal instincts and extraordinary intellectual gifts that in spite of all the disadvantages under which he labored, Mr. Justice Lamar performed his part as a member of this high Court of judicature not only to the acceptance of the bench and the bar, but with such intelligent and well directed zeal and devotion that only failing health and strength could have prevented his ultimately attaining distinguished judicial eminence.

The resolutions I have the honor to present are as follows:

Resolved, That by the death of Mr. Justice Lamar the country loses a judge who came on the bench thoroughly trained, learned and had a rare judicial mind and temperament, with a great power of legal analysis and a faculty of expressing himself in terse English, which left no room for misunderstanding. His long service in public life fitted him to deal with the great questions of constitutional law which make a seat upon the bench of the Supreme Court so important and so responsible. He entered early into the public service and soon became prominent. When the war closed no one was more conspicuous than he in efforts to allay distrust, to do away with animosity and coldness, and to produce throughout the Union a feeling of confidence and good will. For this he labored and spoke in the Senate: and, with this ever before his eyes, he administered the Department of the Interior. We offer this tribute to his memory with no wish to perform a mere perfunctory duty. Over and above his intellect, his trained faculties, his knowledge, his wit and his power, he was an affectionate, loving and lovable man,

dear to all who knew him. He is mourned not only by his friends, but by many who had no personal acquaintance with him.

Resolved, That the Attorney General be requested to lay these resolutions before the Court and to ask that they be spred upon the record.

Resolved. That the Chairman be requested to transmit a copy of them to the family of Mr. Justice Lamar.

The Chief Justice responded:

The Court receives with appreciation the tribute of the Bar through the Attorney General to the memory of the eminent man who so recently passed from its membership.

Although he was not spared to give many years to its labors, Mr. Justice Lamar was long enough upon the bench to exhibit in comparatively new field his undoubted intellectual power and to demonstrate the possession of marked judicial qualities. The remarkable career which preceded his appointment, crowded with varied incident & filled with distinguished service in public station, while it withdrew him from that active

participation in professional practice which assures the habit of prompt decision in ordinary litigation, nevertheless well prepared him for the consideration of those grave public questions that so often press for solution before this tribunal. Experience in affairs had made him sage, and the wisdom thus acquired was aided by that "desire to seek, patience to doubt, fondness to meditate, slowness to assert, readiness to reconsider" which the great philosopher declared fitted him for nothing so well as for the study of Truth. Such was indeed his stature and leadership came to him not merely by reason of his courage, his eloquence, his Statesmanlike views and general ability, but largely, perhaps chiefly, because of his simplicity and single-mindedness, his integrity of thought as well as honesty in action, and that unobtrusive yet manifest devotion to duty which gave assurance to the kingdom that "cometh without observation".

There can be no better qualification for a great magistrate than, in addition to sufficient learning, to possess firm love of justice, earnest desire for truth, absolute sincerity and the highest conception of the responsibility of

public office, coupled with an intimate knowledge of the workings of government obtained through practical experience.

Mr. Justice Lamar always underrated his ability. His tendency probably sprang from a vivid imagination. With him the splendid visions attendant upon youth never faded into the light of common day, but they kept before him an ideal, the impossibity of whose realization, as borne in upon from time to time, oppressed him with a sense of failure. Yet the consciousness of his work was not lessened, nor was the acuteness of his intellect obscured by these natural causes of his discontent: nor did a certain Oriental dreaminess of temperament ever lure him to abandon the effort to accomplish something that would last after his life was done.

We fully recognize the fitness of the reference to the loving disposition of our departed colleague. This especially endeared him to us, and it was this which enabled him to bear with cheerfulness the trials of a long illness and to find in the consolations of religion the peace that passeth all understanding

Sincere in his support of a cause to which his early education and the training of opening manhood his surroundings and personal attachments committed him, his acceptance of the result of the arbitrament of arms was genuine and unqualified: and the singular felicity was his here having returned to die at home at last, the appreciable contribute to the restoration of the ties of common interest and affection of a united people: of pride in common institutions and love for a common country; and to pass his closing days in assisting in the authoritive exposition of the wonderful instrument which binds together "the great contexture of this mysterious whole".

The resolutions and accompanying remarks will be spread upon our records, and the communications expressions of the Legislatures of the State of Georgia, of the State of Mississippi, and of the State of Illinois, and such other similar testimonials as may be transmitted to us, will be placed on file.

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772 The United States Plaintiff vs. Michael Brosnan.
887. John Brown, Pet. in Error, vs. The United States
888. John Pointer, Pet. in Error vs The United States.
850. John Warner, Pet. in Error vs The United States.
186. Lewis Holder, Pet. in Error, vs. The United States.
215 Sam Hickory, Pet in Error vs The United States.

On motion of Mr. Solicitor General Aldrich, It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

Thomas Hughes et al. Pets. in Error
823 vs. The United States

Mr. Solicitor General Aldrich, in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion to advance this cause.

Daniel J. McDaniel et al. Pets. in Error.
1130. vs. The Territory of Oklahoma ex rel: Winfield S. Smith et al.

Mr. Solicitor General Aldrich, submitted to the consideration

of the Court a motion to advance this cause.

James M. Ogden et al. vs. The United States. Appellants. On motion of Mr. Solicitor General Aldrich, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

1844

272. Charles E. Miller et al. Executors etc. Plff in Error vs. J. M. Corbett et al.
273. J. M. Corbett et al. Plffs in Error vs. C. E. Miller et al. Executors etc.
274 C. E. Miller et al. Executors etc. Plffs in Error vs. J. M. Corbett et al.
275. David Magone, Collector etc. Plff in Error vs. James E. Miller et al.

On motion of Mr. Assistant Attorney General Maury, of counsel, It is ordered by the Court that these cases be, and they are hereby, continued until the next Term, by consent of counsel.

Elizabeth C. Hedden, Admx. etc. vs. Oscar L. Richard et al. Plff in Error. This cause was submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney General Maury, of

208

counsel for the plaintiff in error, and Mr. Edwin B. Smith, of counsel for the defendants in error.

137 John Ilx et al vs. Pitts in Error. Elizabeth C. Hedden, Admr. etc. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Edwin B. Smith, of counsel for the plaintiffs in error and Mr. Assistant Attorney General Maury of counsel for the defendant in error.

325 The Aspen Mining & Smelting Company et al. vs. Appellants. Margaret Billings et al The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. T. A Green in support of the same, with leave to Mr. Calderon Carlisle to submit a printed argument in opposition thereto.

324. Nelson F. Evans, Plff in Error vs The United States.
1380. Nelson F. Evans, Plff in Error, vs. The United States.

Mr. H. L. Parson of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance these cases.

Francesca L. De Martino
vs. Appellant
1333 James O. Phelan et al

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court by Mr. George R. Collins, in support of the same, with leave to counsel to submit printed arguments on or before Friday next.

The Interstate Commerce Commission.
vs. Appellant.
1275 The Atchison, Topeka & Santa Fe Railroad Co. et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. A. B. Browne, Mr. A. P. Brillon and Mr. George R. Peck in support of the same.

and Mr. W. A. Way, in opposition thereto.

James Harvey & Mary Harvey.		In Error to the Circuit Court of the United
959	v.	Supp. in Error. States for the Southern
The Telegraph Printing Co.		District of Georgia.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Lucien P. Travers.		Appeal from the Circuit Court
255	v.	Appellant. of the United States for the
Owen H. Buckley et al.		District of Massachusetts.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court

now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

Nathaniel B. Hosher. Appeal from the Circuit Court
252. vs. Appellant of the United States for the
John H. Smith et ux District of Massachusetts.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Schuyler National Bank. Ordered by the
253. vs. Pff. in Error. Court that these
John T. Bolleng. cases be and
and they are hereby,
The Schuyler National Bank. passed for set
254 vs. Pff. in Error. mand
Neil A. Bolleng.

Guillaume Nadau
260 vs. Appellant.
The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. James Herriman, of counsel for the appellant with leave to the Assistant Attorney General Maury to submit a printed argument hereafter.

The United States.
262 vs. Eff. in Error.
John R. Jones et al.

This cause was submitted to the consideration of the Court on the record with leave to counsel on both sides to submit printed arguments on or before Friday next.

Wilbur F. Brigham, Trustee.
257 vs. Appellant.
Judson N. Coffin et al.

This cause was argued by Mr. Thomas William Clarke, of counsel for the appellant, and submitted on a printed argument by Mr. J. E. Maynadier, of counsel for the appellees.

257. The People of the State of California. vs. Pffs. in Error. The San Pablo & Tulare Railroad Company.

The argument of this cause was commenced by Mr. W. H. H. Hart of counsel for the plaintiffs in error. The Court declined to hear further argument

258. Henry Carturs et al. vs. Appellants The United States.

The argument of this cause was commenced by Mr B. R. Taylor of counsel for the appellants.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, April 25th, 1893

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Bates it is ordered that Frank O Carpenter Esquire of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of the Court, and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Walter H. Smith it is ordered

that Yerkow W. Barber, Esquire, of Howard, State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. H. Thurlow it is ordered that Arthur Stuart, Esquire of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward Byrne.
vs. Appellant.
The United States.

On motion of the Assistant Attorney General Conrow, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby continued until the next term.

27

The Corbin Cabinet Lock Co.
vs. Appellant.
The Eagle Lock Co.

Ordered by the Court that this cause be & the same is hereby, continued until the next term for stipulation of counsel.

264

The Chicago City Rail-way Company.		In Error to the Circuit Court of the United States for the Northern Dis-trict of Illinois.
266	vs. Pet. in Error.	
Lucy A. Hayes.		

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pur-suance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

Harvey Howard et al.		Appeal from the Circuit Court of the United States for the District of Colorado.
267	vs. Appellants.	
Lyman Robinson et al.		

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and

decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

James Kinsland
vs. Pff in Error
& Helen Salling.

In Error to the Circuit Court of the United States for the Western District of Michigan.

268.

This cause having been called for hearing in the regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Taney.

& parties In the matter of
James Lenox
Appellant.

Mr. Walter H. Smith, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

1852

Henry Carlton et al.
208 vs. Appellants.
The United States.

The argument of this cause was continued by Mr. Mich Mullany of counsel for the appellants, and concluded by Mr. A. G. Riddle of counsel for the appellees.

Elizabeth B. Mc. Comb, Executrix etc.
215 vs. Appellant.
George A. Frink et al., Admrs. etc
and
George A. Frink et al., Admrs. etc.
216 vs. Appellants.
Elizabeth B. Mc Comb, Executrix etc.
Frink et al., Admrs., etc.

The argument of these cases was commenced by Mr. William G. Wilson, of counsel for

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 26th 1893

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Horace Gray.
Samuel Blatchford.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras jr.
Howell E. Jackson.
John W. Wright, Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. A. Parker it is ordered that Grant L. Streeter, Esquire of Concord, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne MacVeagh it is ordered that Ladislas Kunzé, Esquire of New York City,

be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Thurston it is ordered that Charles Acton Ives, Esquire, of Newport, and Robert W. Burbank, Esquire, of Providence, State of Rhode Island, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Wight Fire Proofing Company. vs. The Chicago Fire Proofing Co., et al.

280 Appellant. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be and

the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

215. Elizabeth B. Mc Court, Executrix &c. vs. Appellant. George D. Grink et al. Odners &c. And George D. Grink et al. Odners &c. vs. Appellants. Elizabeth B. Mc Court, Executrix &c. 216.

The argument of these cases was continued by Mr. William R. Wilson, of counsel for Grink et al. Odners &c. and Mr Wayne Mac Veagh, by Mr. George H. Bates, of counsel for Mc Court, Executrix &c. and concluded by Mr. George Gray, of counsel for Grink et al. Odners &c.

209 W.B. Carr x Pltf in Error. John Quigley

The argument of this cause was commenced by Mr. J.B. Browne, of counsel for the Plaintiff in error, and continued by Mr. Mich. Mullany of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 27th 1815.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Gabriel W. Cutler, Chief Justice.

Stephen J. Field.

Thomas Story

Samuel Chilcott. Associate

David A. Shaw Justices.

Henry S. Brown.

Thomas Shirley.

Samuel B. Parkman.

John W. Wright, Esquire, Marshal.

James H. McKenny Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. William A. Cook it is ordered that Edwin Sutherland, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William D. Lowry it is ordered

that Benjamin C. Wilkeson, Esquire of Bristol, State of Pennsylvania, Abram C. Dunn, Esquire of Corvallis, State of Oregon and David A. Murphy, Esquire of Portland, State of Oregon be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Moses Evans. ..... This cause was submitted to the consideration
277 vs In Error. of the Court on the record
Dana Hotchkiss et al and a printed argument by Mr. John L. Gregory, of counsel for the plaintiff in error. No counsel appeared for the defendants in error.

Augustus S. Downer et al. Ordered by the Court
281. ..... vs. ..... Appellants. ..... that this cause be,
The Colorado Oil Company. and the same is hereby, continued until the next term.

181. George L. Leary Executor Appl. vs The Warash Western Railway Co
282 The United States Trust Co Appl. vs The Warash Western Railway Co.
288. The Warash Western Railway Co Appl. vs The United States Trust Co,

Ordered by the Court that these cases be, and they are hereby, continued until the next term per stipulation of counsel.

The Lane & Bodley Company.
283. vs. Appellant.
Joseph W. Locke.

Ordered by the Court that this cause be, and the same is hereby continued until the next term, per stipulation of counsel.

J. Leslie Thompson, Receiver, et al.
284. vs. Plffs. in Error.
The Sioux Falls National Bank of Sioux Falls, Dakota.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Nancy W. Custing et al.
183. vs. Appellants.
Elizabeth D. Batelle.

Appeal from the Supreme Court of the District of Columbia.

It appearing to the Court that an authority of counsel for the appellants to dismiss this cause has been filed. Therefore, on motion of

ce of said authority. It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

W.B. Carr ..... The argument of the cause
209 vs Plff. in Error was continued by Mr.
John Quigley. Wade Mullany, of coun-
sel for the defendant in
error, and concluded by Mr. J. E. Brown, of
counsel for the plaintiff in error.

In re Peter Coats et al. The argument of
261 vs Appellants this cause was
The Merrick Thread Co. et al. commenced by
Mr. Frederic H.
Betts of counsel for the appellants and continued by Mr. W. C. Witter of counsel for the appellees

Isaac L. Hobbie et al. This cause was sub-
270 vs Plff. in Error mitted to the consid-
Charles E. Emerson. eration of the Court
on the record and
printed arguments by Mr. James A. Allen of

counsel for the plaintiffs in error, and Mr. Lorin A. Collrop, of counsel for the defendant in error.

270. John Cadwalader, Collector etc. vs. The Jessup & Moore Paper Co. Pltff. in Error. This cause was submitted to the consideration of the Court on the record by Mr. Assistant Attorney General Parker, of counsel for the plaintiff in error, and on a printed argument by Mr. B. C. Perkins, of counsel for the defendant in error.

287. Jesse P. Farley. vs. James G. Fair et al. Appellant. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday April 28th, 1893.

Court met to adjourn until the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf of Mr. J. N. Dolph it is ordered that Alfred F. Belknap, Esquire of the State of Oregon, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

2 & 3. Charles E Wager, Appt. vs. The Providence Washington Ins Co. et al.
57. The Providence Washington Ins Co Appt vs Henry Moran et al.

Friday, April 28th 1905 Continued

Our motion of Mr. A. Garland of counsel for the appellant in No. 268, and consent of counsel for all the parties. It is ordered by the Court that these cases be, and they are hereby continued until the next Term.

William Rader et al.
vs. Pltfs. in Err'r & Appls.
Fletcher Maddox et al.
280. Our motion of Mr. A. Garland, of counsel for the plaintiffs in error, and appellants. It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term per stipulation of counsel.

The Empire Coal & Transportation Company.
vs. Appellant.
The Empire Coal & Mining Co. et al.
291. Our motion of Mr. A. H. Garland, of counsel for the appellant. It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

Sir Peter Coats et al.
vs. Appellants.
The Merrick Thread Co. et al.
261. The argument of this cause was continued by

Mr. W. A. Miller of counsel for the appellee has concluded to Mr. Frederic H. Betts of counsel for the appellants.

The Hartford Carriage Co
vs. Appellant.
James P. Witherow.

190.

The argument of this cause was commenced by Mr. W. H. Northrop, of counsel for the appellant continued by Mr. Wayne Teague and Mr. H. B. Compkins of counsel for the appellee and concluded by Mr. H. B. Compkins of counsel for the appellant.

S. S. Cobb.
vs. Pff in Error.
Thomas K. Allen et al.

209

This cause was argued by Mr. B. W. Collins, of counsel for the plaintiff in error, and Mr. A. A. Riley of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o clock.

Monday, May 13, 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Charles H. Outcalt, Esquire, of Cambridge, and Oscar Fisher, Esquire, of Cincinnati, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

On behalf by Mr. A. H. Garland it is ordered that J. H. Richards, Esquire, of Columbus State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. Joseph H. Choate it is ordered that Franklin Bartlett and Charles W. Dimond, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in behalf by Mr. Lib. S. Walter it is ordered that Louis P. Henningsen, Esquire of Baltimore, State of Maryland be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

250 | The United States. vs. Plff. in Error. Mrs. Anna M. Dimmick Christian Schultze, Joseph O. Read et al. | In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed

per Mr. Justice Jackson

The United States. In Error to the Circuit
23 vs. Eff. in Error. Court of the United
Amaty M. Quince Cutler Duer States for the Eastern
and Alexander C. Dickson. District of Louisiana.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Justice Jackson

The Mexican Central Railway Company.		In Error to the Circuit Court of the United States for the Western District of Texas.
1197	vs. Plff in Error.	
Alexander Pinkney,		

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and judgment, and overrule the demurrer to plea in abatement.

per Mr. Justice Jackson.

The United States.		Appeal from the
229.	vs.	Appellant. Circuit Court
Charles A. Snyder, individually,		of the United
and as a member of the late firm		States for the
of Snyder & Irwin, & Hannie Mary		Eastern Dis-
Soriau, his wife, and The Interna-		trict of Louis-
tional Cotton-Press Company.		iana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that that part of the decree of the said Circuit Court in this cause which dismisses the bill as to The International Cotton-Press Company be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed therein in conformity with the opinion of this Court.

per Mr. Justice Shiras

	Margaret L. Dunn Executrix of A. Odgate Dunn deceased	Appeal from the Circuit Court of the United
191.	vs. Appellant.	States for the District
	The Contra Patriot Rock Company.	of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Brown.

	The Richmond & Danville	In Error to the Circuit
	Railroad Company.	Court of the United
199	vs. Pff in Error	States for the Northern
	Henry Elliott	District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

The United States. In Error to the Circuit Court
233 vs. Jeff. in Error. of the United States for the North-
Moses Mock. ern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

The United States		In Error to the Circuit
335	vs	Court of the United States
John W. Humphries and	Def in Error	for the Northern Dis-
Moses Mock.		trict of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

The Baltimore and Ohio		In Error to the Circuit
Railroad Company.		Court of the United States
89	vs	for the Southern Dis trict
John Baugh.	Def in Error	of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Field and
Mr. Chief Justice Fuller.

John T. Underwood & John T. Underwood & Hannah B. Underwood, Executors of Frederick W. Underwood deceased.

217. vs. Appellants.

Henry Herbert & Anton Andreas.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by

counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Beatchford.

Thomas B Pearsall Assignee in bankruptcy of David M. Smith. Appeal from
198. vs. Appellant the Circuit
David M. Smith; Frances A. Court of the
Jones Executrix of Richard L. Jones, United States
deceased; Ella C. Willis; Austin M. for the East-
Hanson Executor of Albert Hanson, ern District
deceased; and Austin M. Hanson and of New York.
Robert H. Moses, surviving partners
of the firm of A. Hanson and Co.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in

this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

178. Samuel C. Shaffer. Appellant. vs. John I. Blair. Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in accordance with the opinion of this Court.

per Mr. Justice Strong.

Dissenting: Mr. Justice Brewer.

(Mr. Justice Field was not present at the argument, and took no part in the decision).

1130. Daniel J. McDaid et al. vs. Pffs. in Error. The Territory of Oklahoma ex rel: Winfield S. Smith et al.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be and the same is hereby granted and the cause be assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1323 Thomas Hughes et al. vs. Pffs. in Error. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1329 Nelson G. Evans, Pff. in Error, vs. The United States.

1330 Nelson G. Evans, Pff. in Error, vs. The United States.

On consideration of the motion to advance this case, It is now here ordered by the Court that said motion be and the same is hereby granted and the case assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day

per Mr. Chief Justice Fuller.

332 Ex parte. In the matter of James Lennon. Appellant. On consideration of the motion to advance this cause to an early day at the next term, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day

per Mr. Chief Justice Fuller

333 Francesca L. De Martin, Appellant vs James A. Phelan et al. On consideration of the petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Ninth Circuit, and of the argument of counsel thereupon heard as well in support of as against the same. It is now here ordered by the Court that said petition be and the same is hereby denied.

per Mr. Chief Justice Fuller.

John A. Wash. Appeal from the Circuit Court
167 vs. Appellant. of the United States for the
George W. Marshman Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Fuller.

The Inter-State Commerce Commission. — Appeal from the Circuit Court of the United States for the Southern District of California

270 vs. Appellant.

The Atchison Topeka & Santa Fe Railroad Company et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of California, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Guillaume Abadie — Appeal from the Circuit Court

260 vs. Appellant. — of the United States for the

The United States. — Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued

by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The United States. In Error to the Circuit
vs. Court of the United States
John A. Jones & George for the Western Dis-
Freeman. trict of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Chief Justice Fuller.

The Cincinnati, Hamilton & Dayton Railroad Company. vs. William R. Mc. Keen.

024 Appellant.

On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that as the said certificate is irregular and insufficient it cannot decline to answer the questions contained therein, and orders that the case be dismissed Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Chief Justice Fuller.

Elizabeth L. Hager, Executrix of John S. Hager, deceased, late Collector of Customs for the Port and District of San Francisco. vs. R. H. Swayne.

232 Pff. in Error.

In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the complaint.

per Mr. Chief Justice Fuller.

The Texas & Pacific Railway Company, Plff in Error, vs. Ida May Anderson and husband, Scott Anderson. — On a certificate from the United States Circuit Court of Appeals for the 5th Circuit.

1312

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the 5th Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the said Circuit Court of Appeals cannot re-

now by writ of error this judgment of the Circuit Court in execution of the mandate of this Court. Whereupon it is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr Chief Justice Fuller.

John Story et al. vs. Appellants. / Michael Coleman et al. Commissioners etc. — Appeal from the Circuit Court of the United States for the Southern District of New York.

778.

This cause having been called to the attention of the Court by Mr. J. Busby Dotson on behalf of counsel and a stipulation of counsel for the respective parties to dismiss this cause having been filed, Therefore on reading of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be & the same is hereby dismissed.

per Mr. Chief Justice Fuller.

The Sawyer-Man Electric Co. vs. Appellant. / The Edison Electric Light Co et al. — The petition for a writ of certiorari

337

hereto to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. Edmund Wetmore Mr. Joseph H. Choate Mr. Samuel A. Duncan and Mr. Andrew B. Curtis in support of the same and Mr. Joseph H. Choate, Mr. C. C. Dickson and Mr. C. M. Dyer in opposition thereto.

In the matter of the application of A. R. Gardiner & Bro. etc. 1340

The petition for a writ of certiorari hereto to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on a printed argument by Mr. Edwin B. Smith in support of the same

John F. Deegan et al. Appellants vs. The Farmers Loan & Trust Company et al. 1332

On motion of Mr. B. D. Silliman of counsel for the appellants, It is ordered by the Court that this cause be and the same is hereby advanced and assigned for argument on the second Monday of the next term after the

cases heretofore assigned for this day.

The Sun Printing & Publishing Association
vs.
Edw. Mott Moore
Quintin B. Smith

The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on a printed argument by Mr. Franklin Bartlett in support of the same.

No. 344

John Mc Nulty
vs.
Edw. Mott Moore
The People of the State of California.

No. 1403

P. O. Driscoll
vs.
Edw. Mott Moore
The People of the State of California.

No. 316.

The motions to dismiss writs of error in these cases were submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. H. Hart in support of the same, with leave to Mr. Carroll Cook to file brief in opposition thereto on or before the 13th inst. inst.

Ex parte. In the matter of Friederich Stolvorst. Petitioner. Mr. Charles W. Howard, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of error coram nobis herein.

1271. Charles Moran et al. vs. Appellants. & C. Hagerman Adm. &c. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. B. Reed and Mr. Edmund Campbell, in support of the same, and Mr. Walter H. Peckham in opposition thereto.

To The Commercial Nat'l Bank of Pa. Appl. v. David Armstrong, Executor, &c.
vs. David Armstrong, Executor &c. Appl. v. The Commercial Nat'l Bank of Pa.

On motion of Mr. Oscar Hoxie in behalf of counsel leave is hereby granted the Clerk to issue the mandate in these cases.

The Sheffield & Birmingham Coal, Iron & Railway Company.
424 vs. Appellant.
London Steel & Iron Limited

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. A. Gunter in support of the same, and Mr. A. B. Stephens in opposition thereto.

The Aztec Mining Company.
265 vs. Pltff. in Error
John W. Ripley

The motions to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Rufus H. Thayer in support of the same, and Mr. William Frank, in opposition thereto.

The Aspen Mining & Smelting Company et al.
325 vs. Appellants.
Margaret Billings et al.

On motion of Mr. Calderon Carlisle, leave is hereby granted him to file his brief in opposition to the motion to dis-

870. The Buf. Roch. & Pitts. Ry. Company vs. Pltff. in Error. Hefley and Lewis.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. L. Antony in support of the same, and Mr. George A. Peck, Mr. O. C. Skilton & Mr. A. G. Browne, in opposition thereto.

1181. John D. Lee vs. Plff. in Error. Henry C. Brown, Executor etc.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. James H. Brown, in support of the same and Mr. J. M. Vale in opposition thereto.

1187. George C. Smith, Surv. etc. et al. vs. Appellants. William Strycker.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. G. Brent in support of the same and Mr. William

Allen Butler and Mr. John Notman in opposition thereto.

John Lorbes
280 vs. Pltf. in Error.
J. Henry Schroeder, Admr. &c.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. L. P. Hemingway and Mr. W. R. Wallace, in support of the same, and Mr. William Colton, in opposition thereto.

The Chief Justice announced that the Court would adjourn for the term on Monday the 15th instant.

Proclamation being made the Court is adjourned until Wednesday the 24th instant at twelve o'clock

Wednesday, May 10th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
Horace Gray.
Samuel Blatchford Associate
David J. Brewer. Justices.
Henry B Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright. Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Aldrich it is ordered that Edward J. Mc Cutchan Esquire, of San Francisco, State of California. and Jonathan W. Flanders Esquire of Sturgis State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. M. Doble it is ordered that Hosmer J. Boles and Alta D. Hoss Esquires of Olympia State of Washington and Robert W. Hilton Esquire, of Jacksonville, State of Oregon, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lourdes it is ordered that Ward Thurow Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Cloake it is ordered that Carroll Mc Kenney, Esquire, of Washington, District of Columbia and Maxwell Evarts, Esquire, of New York City be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to this Court in this behalf by Mr. J. Hubley Ashton it is or-

dered that Herbert S. Herrick Esquire, of San Francisco State of California be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. May it is ordered that Thomas Carroll Esquire, of Tacoma and John B. Humphries Esquire of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Levi Maish it is ordered that A. Cammetti Esquire of Jackson, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

225. Edward W. Leggett vs. The Standard Oil Company — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Jackson

Belle H. B. Wade & Warner Hutchins Trustees.

247. vs. Appellants

The Chicago, Springfield & St Louis Railroad Co. et al.

and

Nathan B. Pratt, Trustee.

248. vs. Appellant

Belle H. B. Wade & Warner Hutchins, Trustees.

Appeals from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Illinois on separate appeals and were argued by counsel. On consideration whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in the cause be, and the same is hereby, reversed, with costs to the complainants in the Circuit Court: And that the cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr. Justice Jackson.

(Mr. Justice Field did not sit in this case and took no part in its decision).

John Loeber. ..... In Error to the
1280. vs. Pepper in Error. ..... Court of Appeals
J. Henry Schroeder, Administrator of Catherine Loeber deceased. of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and on motions to dismiss or affirm which were argued by

counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Justice Jackson.

Benjah S. Bibb.
vs. Plff. in Error.
Thomas H. Allen, Thomas H. Allen Jr. Richard H. Allen and Harry Allen, partners under the firm-name and style of Richard H. Allen and Company.

In Error to the Circuit Court of the United States for the Middle District of Alabama.

267.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear

in the Courts of the State of Alabama.

per Mr. Justice Jackson.

Elizabeth C. Hedden, Administratrix of Edward L. Hedden, deceased, late Collector of the Port of New York.

vs.

Oscar L. Richard & Emil L. Boas.

In Error to the Circuit Court of the United States for the Southern District of New York.

2 08

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial, and proceed in conformity with the opinion of this Court.

per Mr. Justice Shiras.

Wilbur F. Brigham, Trustee. Appeal from the Cir-
330 vs. Appellants. cuit Court of the United
Judson A. Coffin and L. De States for the District
Ward Apsley. of Massachusetts.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Albert L. Ide. Appeal from the Cir-
227 vs. Appellant. cuit Court of the
The Ball Engine Company United States for the
E. A. Ball, James McCrea Northern District
& P. S. Kingsland. of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration

ion whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brown.

James Peter Beale, Thomas Beale, James Beale, Archibald Beale, James Beale Jr., Thomas Ellen Beale, Peter Beale Jr., & George Beale
vs. Appellants
The Merrick Thread Company, and Herbert F. Palmer.

Appeal from the Circuit Court of the United States for the Southern District of New York.

261.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Frederick Hollander and Charles Fielcomus.	In Error to the Circuit Court of the
172 vs. Plffs. in Error.	United States for
Daniel Magone, Collector of the Port of New York.	the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Brewer.

The Sheffield Furnace Company,	Appeal from the Circuit Court of the United
190 vs. Appellant.	States for the Northern
James P. Witherow	District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Alabama.

per Mr. Justice Brewer.

Moses Bevans. ..... In Error to the Cir-
279 vs. Pff. in Error. ..... cuit Court of the
Anna Stelmiocle Augusta ..... United States for the
Stelmiocle and Arnold Vogt. ..... District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in

this cause be, and the same is hereby affirmed with costs.

Mr. Justice Brown.

Alexander M. Byers, Administrator cum testamento annexo of Mary Mc. Auley, deceased.
vs. Appellant.
124. Robert G. Mc. Auley et al.

and

Dora Mc. Auley Ritter Wilson et al.
vs. Appellants.
130. Robert G. Mc. Auley et al.

Appeals from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, on separate appeals and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court

with directions to enter a decree in favor of those citizens of other States than Pennsylvania, who have petitioned the Circuit Court for relief, and who are first cousins of the decedent, for their shares of the estate other than the real estate described in the declaration of trust, the amount of such shares being determined by the fact that the first cousins only inherit; and an order that they recover from the administrator such sums that found to be due. No decree will be entered in favor of the two corporations named in the first paragraph, and none in favor of the parties to the suit who are citizens of the State of Pennsylvania

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Shiras, and

Mr. Chief Justice Fuller.

(Mr. Justice Jackson did not hear the argument and took no part in the decision of this cause).

270. Isaac S. Hobbie & John A. Hobbie, vs. Pepp in Error. Charles B. Jamison. In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Blatchford.

John Cadwalader Collector of Customs for the District of Philadelphia. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

376 vs. Jeff. in Error.

The Jessup and Moore Paper Company.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed

with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Blatchford.

166. H. C. Moses, W. L. Moses, Alfred H. Moses, C. O. Moses, and J. R. Adams. vs. Plffs. in Error. The National Bank of Lawrence County. In Error to the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Gray.

John Nix, John W. Nix, George W. Nix and Frank W. Nix. vs. Elizabeth C. Hedden, Administratrix of Edward S. Hedden deceased, late Collector of the Port of New York.

137 In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Gray.

The People of the State of California. vs. The San Pablo and Tulare Railroad Company.

257 In Error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the tran

cript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed

per Mr. Justice Gray.

	Allen C. Dalzell and The Keystone Watch Case Company.	Appeal from the Circuit Court of the
213.	vs. Appellants.	United States for
	The Dueber Watch Case Manufacturing Company.	the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit

Court with directions to dismiss the bill.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Brewer.

Wm. C. Ridgell and The Bahye Watch Case Company.	Appeal from the Circuit Court of the
214 vs. Appellants	United States for
The Dueber Watch Case Manufacturing Company.	the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to overrule the plea to the bill and to order the defendant to answer that bill.

per Mr. Justice Gray.

Dissenting: Mr. Justice Brewer.

The Minneapolis & St. Louis Railway Company. Pff. in Error
vs.
Henry G. Emmons

In Error to the Supreme Court of the State of Minnesota.

240

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by the Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field

The Minneapolis & St. Louis Railway Company. Pff. in Error
vs.
Ole Nelson

In Error to the Supreme Court of the State of Minnesota.

241

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this

Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs

per Mr. Justice Field

R. C. Cates, L. L. Cates & O. Andrews individually & as composing the firms of Luke Cates & Co. & Andrews, Cates & Co; R. C. Cates & O. Andrews as Cates and Andrews, et al. Appeal from the District Court of the United States for the Northern District of Mississippi

153. vs. Appellants.

J. H. Allen, D. W. West & C. C. Bush partners, under the firm name of Allen, West and Bush.

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court entered in this cause on October 28, 1887, be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded

to the said District Court with directions to render judgment against the complainants for costs in that Court, and to remand the case to the Chancery Court of Lee County, Mississippi.

per Mr. Chief Justice Fuller.

Dissenting.
Mr. Justice Brown &
Mr Justice Jackson.

The Metropolitan National Bank of New York ..... Appellant ..... vs. ..... The St. Louis Dispatch Co. et al. Appellees

224

On consideration of the stipulation of counsel herein, It is now here ordered by the Court that C. Gibson and William L. Davis, Directors of the Dispatch Publishing Company at the time of its dissolution, and The Critic Publishing Company be, and they are hereby, made parties appellees in this cause.

per Mr. Chief Justice Fuller.

The Metropolitan National Bank of New York.

224 vs. Appellant

The St. Louis Dispatch Company et al.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

The Sheffield & Birmingham Coal, Iron & Railway Co.

424 vs. Appellant.

Gordon, Strobel & Laureau, Limited.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be, and the same is hereby postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Waite.

The Aspen Mining & Smelting Company et al

1325 vs. Appellants.

Margaret Billings et al.

It is ordered by the Court that the motion to dismiss in this cause be, and the same is hereby, continued until the next Term, and counsel for the appellee are directed to serve on counsel of record in this Court for the appellants a new notice of said motion and that the motion shall embrace the cause between the same parties numbered 1826 on the docket for the present Term.

per Mr. Chief Justice Fuller.

The Gulf, Colorado & Santa Fe Railway Company.

870 vs. Pff. in Error.

Hefley and Lewis.

On consideration of the motion to dismiss in this cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

John D. Lee.
1181. vs. Pff. in Error.
Henry B. Brown, Executor &c.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be and the same is hereby postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

The Aztec Mining Company.
1266 vs. Pff. in Error
John W. Ripley.

It is ordered by the Court that the motions to dismiss or affirm in this cause be, and the same are hereby, continued until the next term and counsel for the defendant in error is directed to serve on counsel for the plaintiff in error a true notice of the submission of said motions.

per Mr. Chief Justice Fuller.

Charles Moran et al.
1271 vs. Appellants.
J. C. Hageman, Admr. etc.

It is ordered by the Court that the further consideration of the motion to dismiss in this cause be, and

the same is hereby postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

In the matter of the application of A. H. Gardiner & Brother &c

1340 .....

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Law Printing & Publishing Association

1341 vs. Pet. in Error.

Juliette B. Smith.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that said petition be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte; In the matter of Friederich Hohorst. Original. Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted

per Mr. Chief Justice Fuller.

Ex parte; In the matter of Friederich Hohorst. Original. Petitioner.

On consideration of the petition of Friederich Hohorst It is now here ordered by this Court that cause be shown by the Judges of the Circuit Court of the United States for the Southern District of New York, before this Court, at Washington, on the 9th day of October, A.D. 1893. at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard why a writ of mandamus should not be granted as prayed in said petition

per Mr. Chief Justice Fuller.

1345 Ong Yue Ong, Appellant, vs. The United States et al.
1346 Wong Quan, Appellant, vs. The United States et al.
1347 Lee Joe, Appellant, vs. The United States et al.

On consideration of the application of counsel, it is ordered by the Court that these cases be and the same are hereby advanced for argument instanter.

per Mr. Chief Justice Fuller.

1345 Ong Yue Ong, Appellant, vs. The United States et al.
1346 Wong Quan, Appellant, vs. The United States et al.
1347 Lee Joe, Appellant, vs. The United States et al.

The argument of these cases was commenced by Mr. Joseph H. Choate, of counsel for the appellants, continued by Mr. Solicitor General Aldrich, of counsel for the appellee and concluded by Mr. J. Hubley Ashton, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, May 15th. 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
Horace Gray.
Samuel Blatchford. Associate
David J. Brewer. Justices
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this today by Mr. Solicitor General Aldrich it is ordered that John S. Seymour, Esquire, of Norwalk State of Connecticut, Frederick Seymour, Esquire of New York City, and John W. Stockbridge and John W. Showalter, Esquire, of Chicago State of Illinois be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that George F. Montague, Esquire, of Bodie, State of California, and Russell W. Montague, Esquire, of White Sulphur Springs State of West Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that James Alva Watt, Esquire, of San Francisco State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. M. Cockrell it is ordered that Richard H. Clarke, Esquire, of Mobile, State of Alabama be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. K. Garland it is ordered that

Anthony A. Connolly and Joseph B. Connolly, Esquires, of Washington, District of Columbia be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in the behalf by Mr. D. B. Brewer it is ordered that Bennet W. Bradford, Esquire, of Indiana, Pa. be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John Cadwalader, Collector of Customs for the District of Philadelphia.

31. ..... to ..... Plff. in Error.

John Wanamaker, Thomas B. Wanamaker & Alfred E. Ogden trading as John Wanamaker.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof It is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Harlan

James H. Walker, doing business as James H. Walker and Company. vs. Anthony C. Lieberger Collector of the Port and District of Chicago.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with di-

Motion to award a new trial

per Mr Justice Shiras

860. Sallie D. Hartranft, Executrix of John G. Hartranft, deceased, late Collector of Customs for the District of Philadelphia. vs. Plff. in Error. Charles H. Meyer & Joseph R. Dickinson, trading as Meyer & Dickinson. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Shiras.

Dissenting: Mr. Justice Brewer

	Joseph Dickson Pickell and Theodore John Pickell, sole heirs at law of James C. Pickell, deceased.	Appeal from the Circuit Court of the United States for the Western District of Louisiana.
175.	vs. Appellants.	
	George Foster & Henry J. Girow, his wife, Augustus Frebaud, Thomas Roundy et al.	

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

	The Union Pacific Railway Company.	In Error to the Circuit Court of the United States for the District of Colorado.
211.	vs. Pff. in Error.	
	Henry Goodridge & Hiram Murfee.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Brown.

The Union Pacific Railway Company,		In Error to the Circuit Court of the United
212.	vs.	Pffs. in Error States for the District
E. K. Taggart,		of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and

the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

Mr. Mr. Justice Brown.

Elizabeth S. Mc Court, Executrix of the last will & Testament of Henry S. Mc Court, died.

215. vs. Appellant.

George A. Funk and Esther L. Snyder, Administrator & Administratrix of C. Brown Snyder deceased.

&

George A. Funk and Esther L. Snyder, Administrator & Administratrix of C. Brown Snyder, deceased.

Appeals from the Circuit Court of the United States for the District of Delaware.

216. vs. Appellants.

Elizabeth S. Mc Court, Executrix of the last will and Testament of Henry S. Mc Court died

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Delaware, and on appeal and cross-appeal and was argued by counsel. On consideration whereof it is

now here ordered adjudged and decreed by the Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, the costs in this Court to be equally divided between the parties.

per Mr. Justice Brewer

210 The City of Cairo. vs. Plff in Error. Joseph Gans. It is ordered by the Court that leave be, and the same is hereby, granted counsel in this cause to file printed arguments on the question whether the coupons sued on bear interest or not said arguments to be filed on or before the first day of the next term.

per Mr. Justice Brewer.

9-- The City of St. Louis. vs. Plff in Error. The Western Union Telegraph Company. On consideration of the petition for a rehearing in this cause; It is now here ordered by the Court that said petition be, and the same is hereby dismissed.

per Mr. Justice Brewer

Henry H. Porter and Ransom
B. Cable,
221 vs. Appellants,
Dwight M. Sabin, Joseph B.
O'Gorman, The Northwestern
Manufacturing and Car Com-
pany and The Minnesota Pioneer
Manufacturing Company.

Appeal from
the Circuit
Court of the
United States
for the District
of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Nicholas T. Hill
108 vs. Ff in Error
The United States

In Error to the Circuit Court
of the United States for the
District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the District of Maryland and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed: and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss it for want of jurisdiction.

per Mr Justice Strong.

Dissenting:

Mr. Justice Swayne.

345 Young Yuen Ting. ... Appeal from the
... vs. ... Appellant. ... Circuit Court
The United States and John W. ... of the United
Jacobus, individually and as ... States for the
Marshal of the United States ... Southern Dis-
in and for the Southern Dis- ... trict of New York
trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On

consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Brewer
Mr. Justice Field and
Mr. Chief Justice Fuller.

Wong Quan.

846 vs. Appellant
The United States & John W. Jacobs individually and as Marshal of the United States in and for the Southern District of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

by, and the same is hereby affirmed.

per Mr. Justice Gray.

Dissenting:
Mr. Justice Brewer.
Mr. Justice Field &
Mr. Chief Justice Waite.

Lee for
1347. vs. Appellant.
The United States & John W. Jacobus, individually and as Marshal of the United States in and for the Southern District of New York

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

Dissenting: Mr. Justice Brewer, Mr. Justice Field

W.B. Carr. ... In Error to the Supreme
209 vs Opp in Error Court of the State of
John Quigley. ... California.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of California and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in accordance with the opinion of this Court.

per Mr. Justice Field.

The Sawyer-Man Electric Co. On consideration of the petition for a writ
1887 vs Appellant. of certiorari here-
The Edison Electric Light Co., in to the United
et al. ...

States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of as against the

same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

George B. Hale Sheriff et al
1187 vs. Appellants.
William Keyser.

On consideration of the motion to dismiss in this cause, and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that the said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Henry Gartner & Wm Watkins
The Bank of California, Alfred
B. Whitaker, et al.
258 vs. Appellants.
The United States

Appeal from the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered

ed adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed: and that this cause be and the same is hereby remanded to the said Circuit Court with a direction to dismiss the bill.

per Mr Chief Justice Fuller.

Dissenting:

Mr. Justice Field.

John Mc Nulty. In Error to the Supreme Court of the
1253. vs. Off in Error. State of California.
The People of the State of
California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motion to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

P O Vincent
1316 vs Ryan Bros
The People of the State of California

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller

---Order---

It is ordered that Equity Rule 67, as promulgated May 2, 1892, be, and it is hereby, amended by adding thereto the following:

Upon due notice given as prescribed by the above order, the Court may, at its discretion, permit the whole, or any specific part, of the evidence to be adduced orally in open court on final hearing.

188. John C. Johnson, Appt. vs. The Standard Mining Co. of Nevada City &c. The City of Cairo, Plff. in Error vs. Joseph Jones.

It is ordered by the Court that the mandate in these cases be withheld until the further order of the Court.

per Mr. Chief Justice Fuller.

179. John W. Steward, Admr. &c. ... vs. ... Plff. in Error. Henry Gassert et al.

On motion of Mr. F. M. Cockrell, in behalf of counsel for the plaintiff in error leave is hereby granted to file a petition for a rehearing herein, and it is ordered that the mandate in this cause be withheld for thirty days.

The State of Maryland, Complainant, vs. Original. The State of West Virginia.

On motion of Mr. O. H. Garland, in behalf of counsel it is ordered by the Court that the defendant be allowed until the first day of June, 1895 within which to file a cross bill herein and that the complainant be allowed until the first

Monday of October 1898 within which to file its answer to such cross bill, and that the Clerk file same when received, on fee & stipulation of counsel.

The State of Virginia
3 Original vs Complainant
The State of Tennessee.

Ord to show to cause Nov the injunction issued and obtained herein may be dissolved and to allow complainant to take additional evidence was submitted to the consideration of the Court on printed arguments by Mr. Rufus N. Ayers, Mr. Lee C. Moore and Mr. R. Taylor Scott, in support of the motion, and Mr. S. S. St. John in opposition thereto.

The State of Virginia.
3 Original. vs. Complainant.
The State of Tennessee.

On motion of Mr. R. Taylor Scott, of counsel for the complainant,

leave is hereby granted to file a stipulation of counsel in regard to the taxation of costs of the defendant herein.

Richard Warren et ab
1295 vs. Pffs. in Error
Grant & Sturgis Receivers etc.

Wm. A. Sawdict, in behalf of counsel for the plaintiffs in error,

submitted to the consideration of the Court a motion to advance this cause. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied, without prejudice to its renewal at the next term.

John Mc. Mully.
1233 vs. Pff. in Error.
The People of the State of California.

On motion of Mr. Carroll Cook, of counsel for the plaintiff in error, It is ordered by the Court that the mandate in this cause be withheld for ten days.

The Chicago, Milwaukee & St. Paul Railway Co.
180 vs. Pff. in Error.
Alfred H. Smith et ux. etc. etc.

Mr. John W. Heenatter, of counsel for the defendants in error, submitted to the consideration of the Court a motion for leave to file a motion for a modification of the judg-

ment herein, for a rehearing, and that the mandate be withheld. Whereupon it is now here ordered by the Court that said motion be, and the same is hereby, denied.

590. Franklin Farrel. vs. Peff, in Error. The National Shoe & Leather Bank of New York City. — In Error to the Circuit Court of the United States for the District of Connecticut.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

604. Oscar Ulrich. vs. Appellant. Hugh J. McGowan, Marshal, etc. — Appeal from the Circuit Court of the United States for the Western District of Missouri.

It appearing to the Court that an authority

of counsel for the appellants to dismiss this cause has been filed. Therefore, in pursuance of said authority, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Lewis C. Haughton.

143 vs. Pltf. in Error — In Error to the Supreme Court of the
Joseph T. Offutt, late — District of Columbia.
doing business as Joseph
T. Offutt and Co.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss in this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, cost of printing the record and Clerks costs in this Court to be paid by the defendant in error.

per Mr. Chief Justice Fuller.

Monday May 15th 1893 Continued

—Order—

It is now here ordered by the Court that all the cases on the docket not heard and all the other business of the Court not disposed of by the Court be, and the same are hereby, continued until the next Term of the Court.

Hon. Wm. Lindsey Butler.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States
October Term.
1893.

Monday, October, 9th, 1893.

At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the ninth day of the said month), in the year of our Lord one thousand, eight hundred and ninety-three, and of the Independence of the United States the one hundred and eighteenth, the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field. }
John M. Harlan. }
Horace Gray. } Associate
David J. Brewer. } Justices.
Henry B. Brown. }
George Shiras jr. }
Howell E. Jackson. }

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Chief Justice said.

. . . . . It pains me to announce that since the adjournment, the Court has suffered severe bereavement in the death of Mr Justice Blatchford, which occurred at Newport, Rhode Island, on the evening of Friday, July seventh.

I will say to the members of the bar that all motions noticed for to-day will stand over until to-morrow. No business will be transacted, but applications for admission to the bar will be entertained, and after these are disposed of the Court will adjourn until the usual hour on Tuesday, in order to enable the members in accordance with immemorial usage to pay their respects to the President in a body.

On motion first made to the Court in this behalf by Mr. John M. Palmer it is ordered that A. W. Green, Esquire, of Chicago and M. C. Mooney, Esquire, of Ottawa, State of Illinois be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A Maury it is ordered that William P Ellwood, Esquire, of Dallas, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Holmes Conrad, Esquire, of Winchester, State of Virginia, Joshua Eric Dodge, Esquire, of Racine, State of Wisconsin, Charles Chauncey Binney, Esquire, of Philadelphia, State of Pennsylvania, and William H. Jackson, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Huntington Norton it is ordered that T. N. Cobb, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Van Nest it is ordered that Vincent Veale, Esquire of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Fox it is ordered that W. Calvin Bruce, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. Sayers it is ordered that Albert G. Patrick, Esquire of New York City be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Mc. Gowen it is ordered that Harry B. Lowell, Esquire of Grand Rapids, State of Michigan be admitted to practice as

an attorney and counselor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle it is ordered that Henry C. Cunningham, Esquire of Savannah, State of Georgia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. R. Lawton it is ordered that Alexander R. Lawton, Jr. Esquire of Savannah, State of Georgia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Chief Justice announced that the Court would commence the call of the docket to-morrow, pursuant to the 26th rule.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, October, 17th 1899.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice.

Stephen J. Field
John M. Harlan.
Horace Gray. Associate
David J. Brewer, Justices
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Laurence Maxwell Jr. appeared and produced the following Letters Patent, which were ordered to be recorded on the minutes of the Court as follows, viz.

Grover Cleveland,
President of the United States of America.
To all who shall see these Presents, Greeting:
Know ye, That reposing special trust and confidence in the Integrity and Ability of Jaw-

rence Maxwell, Jr. of Ohio, I have nominated, and by and with the advice and consent of the Senate do appoint him Solicitor General and do authorize and empower him to execute and fulfil the duties of that Office according to Law, and to have and to hold the said Office with all the powers, privileges and emoluments thereunto of right appertaining, unto him, the said Laurence Maxwell, Jr.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the Department of Justice to be hereunto affixed.

(Seal)

Given under my hand at the City of Washington the sixth day of April, in the year of our Lord one thousand, eight hundred and ninety-three, and of the Independence of the United States of America the 117th

Grover Cleveland.

By the President:

Richard Olney,

Attorney General.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Albert Baker, Esquire, of Indianapolis, State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Wilson it is ordered that William M. Wilson, Esquire, of Decatur, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that William B. Rodgers, Esquire, of Wadsville, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. McKenney, it is ordered that Sumner L. Hare, Esquire, of San Francisco, State of California, be admit-

ted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. B. Brooms it is ordered that William Scallon, Esquire of Butte, State of Montana, and David Ewing Daly, Esquire, of Olympia, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

611 C. W. Bain, Pff. in Error, vs The United States.
872 R. Sarlls, " " " " " " "
961 Mrs. Martha Insley et al. Appts. vs The United States.
969 Alexander Allen, Pff. in Error, vs. The United States
970 Marshal Tucker, " " " " " " "
971 John Hicks, " " " " " " "
972 John Gourke, " " " " " " "
1001 Antonio Calva, " " " " " " "
1003 Pancho Smith, " " " " " " "

Mr. Solicitor General Maxwell submitted to the consideration of the Court motions to advance these cases

The Aspen Mining & Smelting Co. et al
vs. Appellants.
Margaret Billings et al.

919

The motion to advance this cause, pursuant to Sub 32, and for leave to argue the case orally, was submitted to the consideration of the Court on printed arguments by Mr. Calderon Carlisle, in support of the same, and Mr. Felix T. Hughes, in opposition thereto.

The Aspen Mining & Smelting Co. et al.
vs. Appellants.
Margaret Billings et al.

918

&

The Aspen Mining & Smelting Co. et al.
vs. Appellants.
Margaret Billings et al.

919

The motion to dismiss in these cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Felix T. Hughes and Mr. E. A. Crew in support of the same, and Mr. Calderon Carlisle, in opposition thereto.

1033. The Alabama Iron & Railway Co. et al. v. The American Loan & Trust Co. Appellants. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. H. B. Tompkins, in support of the same, and Mr. John B. Knox, in opposition thereto.

515. J. W. Wood et al. v. Pipp. in Error. John J. Brady. The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James G. Maguire, in support of the same, and Mr. James C. Bates, in opposition thereto.

38 The Schuylkill National Bank, Plff. in Error v. John J. Bellamy.
39 " " " " " " " " Neil R. Bellamy.
317. " " " " " " " " Neil R. Bellamy.
318. " " " " " " " " Hector A. Bellamy.

On motion of Mr. J. G. Rogers, of counsel for the plaintiff in error, It is ordered by the Court that these cases be heard as one case when No. 38 is reached in the regular call of the docket, per stipulation of counsel.

The Hartford Fire Ins. Co. et al.		The petition for
1034 vs.	Appellants.	a writ of certi-
The Boomer Mercantile Co.		orari herein to
		the United States

Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by Mr. E. C. Van Hise, in support of the same, and Mr. W. Kirkpatrick and Mr. J. W. Forbis, in opposition thereto.

Charles Wunderle & Veronica		In Error to the
Schaefer.		Supreme Court
1037 vs.	Defts. in Error.	of the State
Catherine Wunderle.		of Illinois.

This cause having been called to the attention of the Court by Mr. Wm. A. McKenney, of counsel for the plaintiff in error and he having moved the Court to dismiss this cause Pier-

for: in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1057 Charles Wunderle et al vs. Plffs. in Error. Catherine Wunderle. On motion of Mr. Wm. A. McKenney, of counsel for the plaintiffs in error, leave is hereby granted the Clerk to issue the mandate in this cause.

1029 Amado Chaves et al. Appellants, vs. The United States et al.
1030 The Pueblo of Jia, Santa Ana & Jemez. Appts. vs. The United States et al.
1031 Manuel Crespin et al. Appts. vs. The United States

Mr. William E. Earle, of counsel for the appellants, submitted to the consideration of the Court motions to advance these cases.

1032 Leandro Sandoval et al. vs. Appellants. The United States et al. Mr. William E. Earle, of counsel for the appellants, submitted to the

consideration of the Court a motion that a commission issue to take additional evidence in this case.

J. S. Lewis
386 vs Plff. in Error.
David O. Withers

The death of David O. Withers, the defendant in error herein having been heretofore suggested and an order of publication granted, now, on motion of Mr. Calderon Carlisle, in behalf of counsel for the defendant in error, It is ordered by the Court that A.C. Morrow, Executor of David O. Withers, deceased, be made the party defendant in error in this cause.

The State of Iowa.
6 Original.—vs—Complainant
The State of Illinois.

Mr. H. S. Hickory, of counsel for the defendant, submitted to the consideration of the Court a motion for leave to file a motion to vacate the order entered herein confirming the report of the Commissioners fixing the boundary line between The State of Iowa and The State of Illinois

The Albany County Bank. In Error to the Cir-
540. vs. Off. in Error. cuit Court of the Uni-
The Drovers' National Bank ted States for the
of Union Stock Yards, Lake, Northern District
Illinois. of New York.

The cause having been called to the attention of the Court by Mr. Alexander Porter Morse, of counsel for the plaintiff in error, and a stipulation of counsel to dismiss the cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, without costs to either party as against the other.

per Mr. Chief Justice Fuller.

The Albany County Bank. On motion of
540A. vs. Off. in Error. Mr. Alexander
The Drovers' National Bank &c. Porter Morse, of
counsel for the
plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Harry Duncan.
vs. Pltf. in Error.
The State of Missouri

On motion of Mr. B. M Hewlett, of counsel for the plaintiff in error leave is hereby granted to docket this cause and proceed therein in forma pauperis.

Herbert S. De Selliar.
630. vs. Appellant.
William B. Hanscomb.

Mr. Chapin Brown, of counsel for the appellant, submitted to the consideration of the Court a suggestion of a diminution of the record and motion for a writ of certiorari herein.

5 William Wright. Appt. v. David F. Murphy &c.
6 William Wright. Appt. v. Johnston Biggs.

On motion of Mr. Melville Church, of counsel for the appellant, It is ordered by the Court that these cases be, and they are hereby, passed.

Charles Moran et al.
875. vs. Appellants.
E. C. Hageman, Admr. et al.

Mr. Frederic D. McKenney, in behalf of counsel for

The appellees submitted to the consideration of the Court a motion to advance this cause.

15. George H. Hilton vs Appellant. James B. Jones et al

On motion of Mr. Frederic D. McKenney, in behalf of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby passed.

16. W. B. Trotter vs Appellant. B. Lowenstein & Bro. et al.

Appeal from the Circuit Court of the United States for the Northern District of Mississippi.

This cause having been called to the attention of the Court by Mr. A. H. Garland, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

357	The Northern Pacific R.R. Co vs. Pff. in Error. J. L. Patterson, County Treasurer &c.	Mr. O. H. Ellis, Board of Commissioners for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.
904	James Connors. vs. Pff. in Error. The United States	On motion of Mr. A. G. Browne, leave is hereby granted to withdraw the appearance & that of Mr. A. G. Britton as counsel for the plaintiff in error herein.
612	Richard P. Barden et al vs. Pffs. in Error. The Northern Pacific R.R. Co.	On motion of Mr. A. G. Browne leave is hereby granted him to file a printed argument herein on on behalf of the Atlantic and Pacific Railroad Co.
160	Worsley Wells et al Trustees vs. Pffs. in Error. George Crane Adm'r &c.	The motion to dismiss in this cause was submitted to the consider-

ation of the Court on the record and printed arguments by Mr. George Crane, in support of the same, and Mr. C. A. Welch and Mr. William Connor, in opposition thereto.

Charles Morgan
v. Appellant
The Pittsburgh Cincinnati & St. Louis Railway Co. et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. C. A. Harrison and Mr. Joseph Olds, of counsel for the appellee, with leave to counsel for the appellant to file a printed argument within two weeks from this date and to counsel for the appellee to file a reply thereto within one week thereafter.

The New York & Texas Land Co. (Limited)
v. Plff. in Error.
Mary J. Nolan et al. Executors etc.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Ogden, of counsel for the plaintiff in error, and Mr. A. W. Houston, of counsel for the defendants in error.

8. The Lehigh Zinc & Iron Co. vs Plff. in Error Charles Bamford et ab. — On motion of Mr. Wm. D. McKenny, in behalf of counsel. Ordered by the Court that this cause be, and the same is hereby passed.

11. The Consolidated Bunging Apparatus Co. vs Appellant. The Peter Schoenhofer Brewing Co. — Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

12. William W. Hickie et al. vs Appellants. Charles E. Hales et al. — Ordered by the Court that this cause be, & the same is hereby passed.

3 The United States.
vs Off. in Error
The Denver & Rio Grande Ry Co.
and

4 The United States.
vs Off. in Error.
The Denver & Rio Grande R.R. Co. et al.

These cases were argued by the Solicitor General Maxwell, of counsel for the plaintiff in error and Mr. E. O. Wolcott, of counsel for the defendants in error.

10. Elijah W. Maddaugh et al.
vs. Appellants
Nathaniel Wilson.

The argument of this cause was commenced by Mr. Otto Kirchner, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October 11th, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this day by Mr. George E. Edmunds it is ordered that Henry H. Wilson, Esquire, of Lincoln State of Nebraska, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this day by Mr. F. C. Catchings it is ordered that

Fred Beall, Esquire, of Oklahoma City, Territory of Oklahoma be admitted to practice as an attorney and counsellor of this Court, as he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. W Grow it is ordered that James H. Eckels, Esquire, of Ottawa, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of Iowa.
vs. Original. —vs— Complainant.
The State of Illinois.

On consideration of the motion of counsel for the defendant herein for leave to file a motion to vacate the order confirming the report of the Commissioners fixing the boundary line between the State of Iowa and the State of Illinois, It is now here ordered by the Court that said motion be, and the same is hereby, granted; and it is further ordered that leave be, and the same is hereby, granted counsel for the complainant to file a reply thereto within thirty days from this date.

per Mr. Chief Justice Fuller

Henry Deno.
20. vs. Pff. in Error.
W. B. Griffin

Mr. J. H. Ralston, of counsel for the defendant in error, suggested the death of Henry Deno, the plaintiff in error in this cause, and moved the Court for an order, under the 16th rule, to make the proper representatives parties. Whereupon It is now here ordered by the Court that unless the proper representatives of the said Henry Deno, deceased, as aforesaid shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendant in error shall be entitled to have the writ of error dismissed. Provided, however, That a copy of this order shall be printed in some newspaper of general circulation within the State of Nevada for three successive weeks at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

The United States.
887. vs. Appellant.
The late Corporation of the Church of Jesus Christ of Latter Day Saints.

Ordered by the Court that this cause be, and the same

is hereby passed for argument before a full bench.

P. B. Hooper.		Ordered by the Court that this cause be, and the same is hereby, passed for argument before a full bench.
17	vs. Pltf. in Error	
The People of the State of California.		

The United States ex rel: James M. C. Marwood.		In Error to the Circuit Court of the United States for the Eastern District of Arkansas.
105	vs. Pltf. in Error.	
Wm. E. Woodruff, Collector of Chicot County.		

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The New Orleans Canal & Banking Co. et al.		Appeal from the Circuit Court of the United States for the Eastern District of Arkansas
141.	vs. Appellants.	
D. H. Reynolds et al.		

It appearing to the Court that a motion by counsel for the appellants to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Toledo Ann Arbor & North Michigan Railway Co.		In Error to the Circuit Court of the United States for the Northern District of Ohio.
179.	vs. Pff. in Error.	
Clifford G. Eddy.		

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs.

	O. W. Raymond.	In Error to the Circuit Court
247	vs. Pff. in Error	of the United States for the West-
	Lloyd G. Reed et al.	ern District of Pennsylvania.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The Equitable Accident Insurance Company, of Cincinnati, Ohio.	In Error to the Circuit Court of the United
300	vs. Pff. in Error.	States for the Eastern
	Edgar P. Sawyer et al., Executors etc.	District of Wisconsin.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this

Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

525 E. F. Strumm et al vs. The United States. Pffs in Error. In Error to the Circuit Court of the United States for the Northern District of Florida.

It appearing to the Court that an authority of counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore in pursuance of said authority. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

757 The Bottle & Rivers Canal and Mining Co vs. John Dowell et al. Pff in Error. In Error to the Supreme Court of the State of Colorado.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, it

pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Platte & Denver Canal and Milling Co.		Ordered by the Court that leave be granted the Clerk to issue the mandate in this cause.
137	vs. Pff. in Error.	
John Dowell et al.		

The Worcester, Nashua and Rochester R.R. Co.		Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per Stipulation of counsel.
16.	vs. Pff. in Error.	
The John Hancock Mutual Life Insurance Co.		

The Southern Pacific Railroad Company in New Mexico.		On motion of Mr. J. Hubley Ashton in behalf of counsel, Ordered by the
19.	vs. Pff. in Error.	
Teofilo Esquibel.		

Court that this cause be, and the same is hereby, continued until the next term, for stipulation of counsel.

22. Edward P. Parish et al. vs. The New Mexico Mining Co., et al. Appellants. Appeal from the Supreme Court of the Territory of New Mexico.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 9th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

22. Edward P. Parish et al. vs. The New Mexico Mining Co. et al. Pltf. in Error. Mr. William B. Barle, of counsel for the defendants in error, submitted to the consideration of the Court a motion that the mandate issue in this cause.

	The Pittsburg & Southern Coal Co	Ordered by the Court that these cases be and they are hereby, passed for argument before a full bench.
23	v. Pff in Error.	
	The State of Louisiana for use of The Charity Hospital of N. O.	
	and	
	The Pittsburgh & Southern Coal Co.	
9.	v. Pff in Error	
	John W. Bates, Sheriff etc.	
	The Consolidated Engraving Apparatus Co. et al	Appeal from the Circuit Court of the United States for the Southern District of New York.
24	v. Appellants.	
	The A. Klausen & Son Brewing Company.	

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

10. Elijah W. Waddaugh et al. vs. Appellants Nathaniel Wilson. The argument of this cause was continued by Mr. W. D. Davidge, Jr. Mr. John E. Parsons, of counsel for the appellee and concluded by Mr. George F. Edmunds, of counsel for the appellants

13. John J. Schillinger et al. vs. Appellants The United States. The argument of this cause was commenced by Mr. John C. Gray, of counsel for the appellants

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

154 U.S.

Thursday. October, 25th. 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. H. Garland it is ordered that Mark Valentine, Esquire, of Little Rock, State of Arkansas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. W. Perkins it is ordered that

Thomas L. Ritchie Esquire of Council from State of Kansas, is admitted to practice as an attorney and counsellor of this Court, and is sworn accordingly.

1020 The State of Tennessee et al. vs. Appellants. The Union & Planters Bank et al. And The State of Tennessee et al. vs. Appellants. The Bank of Commerce et al. Mr. N.B. Pardee in behalf of counsel for the appellants, submitted to the consideration of the Court a motion to advance these cases.

25 William P. Halliday. vs. Appellant. Richard A. Stuart et al. Mr. Julian S. Jones, of counsel for the appellee suggested the death of Richard A. Stuart, one of the appellees herein, and moved the Court to make Robert W. Hunter and Julian S. Jones, as Executors of the last will and testament of Richard A. Stuart deceased, parties appellees in this cause. Whereupon, It is now here ordered by the Court that the said Robert

W Stuart and Sulivan S. Jones as Executors of the last will and testament of Richard S. Stuart deceased, be, and they are hereby, made parties appellees in this cause.

27 The Mississippi Mills et al Appls. vs. Simon Cohn et al.
28 W.L. Wallace Executor et al. Appls. vs. E.W. Myers, Comptroller etc
29 C.S. Hollins Jr. et al. Appls. vs. The Briarfield Coal & Iron Co. et al.

Ordered by the Court that these cases be, and they are hereby, passed.

30 James C. Stonerood. vs. Plff. in Error. George W. Stonerood. Ordered by the Court that this cause be, and the same is hereby, passed, to be submitted pursuant to the 20th rule.

32 The District of Columbia. vs. Plff. in Error. Matilda S. Church et al. In Error to the Supreme Court of the District of Columbia.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss this

cause having been filed. Therefore in pursuance of said motion, It is now here ordered and adjudged by the Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The District of Columbia. In Error to the Su-
33 vs. preme Court of the
J. Harrison Johnson. District of Columbia.

This cause having been called for hearing in its regular order, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore in pursuance of said motion. It is now here ordered & adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

John J. Schillinger et al. The argument of this
13 vs. Appellants. cause was continued by Mr. Assistant
The United States. Attorney General Cox

read of counsel for the appellee, and concluded by Mr. John B. Gay of counsel for the appellants.

Herman Sturm. Ordered by the Court
14 vs. Appellant. that this cause be, and
G. T. Baker et al. the same is hereby passed.

William C. Halliday. This cause was ar-
25 vs. Appellant. gued by Mr. A. H.
Robert W. Hunter et al. Ex- Garland of counsel
ecutors etc., et al. for the appellant, &
Mr. Mark Valentine
and Mr Julian S. Jones of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October, 13th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan.
Horace Gray, Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Henry C. Hows Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. B. Brown it is ordered that

Joseph W. Bryson, Esquire of St. Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr James E. Maguire it is ordered that William B. Sharp Esquire, of San Francisco State of California be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

26. George J. Leary, Trustee, vs Appellant. The Wabash Western Ry. Co.

Mr. A. G. Riddle, in behalf of counsel, submitted to the consideration of the Court a stipulation of counsel for the respective parties suggesting the death of George J. Leary, Trustee, the appellant herein, and agreeing that Charles Moran, D. B. Hallstead and William A Scott, a purchasing committee, be made the parties appellants in this cause.

The Joliet Manufacturing Company		Appeal from the Circuit Court of the United States for the Northern District of Illinois.
40.	vs. Appellant.	
The Keystone Manufacturing Co. et ab.		

The cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, on pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Fuller.

Herman Sturm,		The argument of this cause was commenced by Mr. John N. Butler of counsel for the appellant and continued by Mr. W. D. Guthrie and Mr. Albert Baker, of counsel for the appellee, and concluded by Mr. Solomon Claypool, of counsel for the appellant
114.	vs. Appellant.	
G. A. Baker et al.		

Proclamation being made the Court is adjourned, until Monday next at twelve o'clock.

Monday. October, 16th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that J. A. Cooper, Esquire, of Ukiah, & William J. Hunsaker, Esquire, of Los Angeles State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Langdon Ward it is ordered

that Samuel W. Allen Esquire of Providence State of Rhode Island be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Kruttschnitt it is ordered that J. W. Perry Esquire of Galveston State of Texas be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. G. Smith it is ordered that John W. Kern Esquire of Indianapolis State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Connolly it is ordered that Clifton C. Sabin Esquire of Schuyler State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. N. Symmes it is ordered that Ephraim March Esquire, of Greenfield, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Burridge it is ordered that Elmer J. Law Curtis Esquire of Indianapolis State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O. H. Garland it is ordered that W. C. Davis, Esquire, of Little Rock, State of Arkansas and Henry B. Coke & W. S. Simkins, Esquires, of Dallas, State of Texas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The State of Virginia. }
} Original in Compromise. }
The State of Tennessee. }

On consideration of the motion to restore the cause

ary marks between the State of Virginia & the State of Tennessee, alleged to be indistinct and obliterated, and to allow the complainant to take additional evidence, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Edward T. Parish et al
22. vs. Peffs. in Error.
The New Mexico Mining Co. et al.

On consideration of the motion that the mandate issue herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

George I. Seney Trustee.
26. vs. Appellant.
The Wabash Western Ry Co.

On consideration of the suggestion of the death of George I. Seney, Trustee, the appellant herein, and the motion and stipulation to make Charles Moran, R. B. Halstead & William H. Scott, a purchasing co-

mittee, the parties appellants herein, in place of the said George I. Seney, Trustee, deceased, as aforesaid, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

357 The Northern Pacific Railroad Company ... Plff. in Error vs. S. L. Patterson County Treasurer etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument before a full bench after case No. 613 on the docket for the present term.

per Mr. Chief Justice Fuller.

871 A. M. Bain. Plff. in Error vs. The United States
872 R. Sarlls, — Plff in Error vs. The United States
969 Alexander Allen Plff. in Error vs. The United States.
970 Marshal Tucker, Plff. in Error vs. The United States
972 John Yourke, Plff. in Error vs. The United States.
971 John Hicks. Plff. in Error vs. The United States.

1006 Ramon Smith, Pltf in Error vs. The United States

On consideration of the motions to advance these causes, It is now here ordered by the Court that said motions be, and the same are hereby granted, and the cases assigned for argument on the second Monday of November next, in the order named.

Herbert F. McSolar
630 vs. Appellant
William B Hawcomb

On consideration of the suggestion of a deminution of the record and motion for a writ of certiorari therein, It is now here ordered by the Court that said motion be and the same is hereby granted and upon the issue of the writ, leave is given to file the additional record accompanying the motion as a return thereto.

per Mr Chief Justice Fuller

Charles Moran et al,
875 vs. Appellants
J.B. Hageman, Admr. et al.

On consideration of the motions to advance this cause, It is now here order-

ed by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the second Monday of January next.

per Mr. Chief Justice Fuller.

Mrs. Martha Insley et al. vs. The United States. Appellants.

221. On consideration of the motion to advance this cause, It is now here ordered by the Court, that said motion be and the same is hereby, granted, and the case assigned for argument on the first Monday in November next.

per Mr. Chief Justice Fuller.

Autun Caha. vs. The United States. Plff in Error.

100. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The State of Tennessee et al.
1020 vs. Appellants.
The Union & Planters Bank et al

&

The State of Tennessee et al.
1021. vs. Appellants.
The Bank of Commerce et al

On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted; and the cases assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1029 Amado Chaves et al. Appellants, vs. The United States et al.
1030 The Pueblos of Las Lentes and Jemez, Apts. vs. The United States et al
1031. Manuel Crespin et al., Appellants, vs. The United States

On consideration of the motions to advance these cases, It is now here ordered by the Court that the said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

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LUME

Leandro Landaverde et al
1032 vs. Appellants.
The United States et al.

On consideration of the motion that a commission issue to take additional evidence in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Alabama Great Southern Railway Company et al.
1033 vs. Appellants.
The Anniston Loan and Trust Company.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Hartford Fire Insurance Company et al.		On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.
1034	vs. Appellants.	
The Bonner Mercantile Company.		

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied

per Mr. Chief Justice Fuller.

Woolsey Wells, A. K. Wells & William B. Wells Sr. Trustees.		In Error to the Supreme Court of the State of Iowa.
160	vs. Defts. in Error.	
George Crane, Administrator of the estate of Edward K. Goodnow, deceased.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on a motion to dis-

mission, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Norman Brass ..... It is ordered by the
768 vs. Pff. in Error Court that the sub-
The State of North Dakota mission of this cause
ex rel: Louis W. Hosser. be, and the same
is hereby, set aside
and the case restored to the docket for argument before a full bench.

per Mr. Chief Justice Fuller.

Enoch Davis. On motion of Mr.
961 vs. Pff. in Error. Solicitor General Max-
The People of the Territory well, It is ordered by
of Utah the Court that this
cause be, and the
same is hereby advanced and assigned for argument on the second Monday of November next after the cases heretofore assigned for that day.

1007 William A. Cole
vs. Pff. in Error
The United States

Mr. Solicitor General Mar-
well, of counsel for the
defendant in error, sub-
mitted to the consider-
ation of the Court a motion to advance this cause.

1025 The Covington & Cincinnati
Bridge Company.
vs. Pff in Error.
The Commonwealth of Ken-
tucky.

Mr. Laurence Mar-
well, Jr. of counsel
for the plaintiff in
error, submitted
to the consideration of the Court a
motion to advance this cause.

44 Charles E. Miller and Daniel G. Rollins,
Executors of Chester A. Arthur, deceased,
late Collector of the Port of New York.
vs. Pffs. in Error
James M. Constable et al. survivors of
Arnold Constable and Co.

In Error
to the Cir-
cuit Court
of the Un-
ited States
for the
Southern
District of
New York

And

45. James M. Constable et al. survivors &c.
vs. Pffs. in Error.
Charles E Miller and Daniel G. Rollins,
Executors of Chester A. Arthur, deceased,
late Collector of the Port of New York.

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell, and counsel for the respective parties having filed confession of error and consent that the judgment herein be reversed. Therefore, in pursuance of said confession of error and consent, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed each party to pay its own costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with law.

per Mr. Chief Justice Fuller.

Charles E. Miller & Daniel G. Rollins, Executors of Chester A. Arthur, deceased, late Collector of the Port of New York. vs. James M. Constable et al., survivors of Arnold, Constable and Co.

In Error to the Circuit Court of the United States for the Southern District of New York.

46 Cases. in Error.

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell,

of counsel for the plaintiff in error and counsel for the defendants in error having filed confession of error and consent that the judgment be reversed. Therefore, in pursuance of said confession of error and consent, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with law

per Mr. Chief Justice Fuller

The Columbus Southern Railway Co.
753. vs. Pet. in Error.
W.A. Wright, Comptr. &c. Et. etc.

Mr. R.E. Lester, in behalf of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

John H. Reagan et al.
928. vs. Appellants.
The Farmers Loan and Trust Co., et al.

Ordered by the Court that this cause be, and the same is hereby, passed for argu-

ment before a full bench.

The Pittsburgh, Cincinnati, Chicago and St. Louis Railway Co.

899. vs. Petf. in Error.

Victor M. Backus, Treasurer, et al.

The Indianapolis & Cincinnati R.R. Co.

900. vs. Petf. in Error.

Victor M. Backus, Treasurer et al.

and

The Cleveland, Cincinnati, Chicago and St. Louis Railway Co.

908. vs. Petf. in Error.

Victor M. Backus, Treasurer.

Ordered by the Court that these cases be and they are hereby, passed for argument before a full bench.

Philip Mc. Aler.

108. vs. Appellant.

The United States.

Mr. E. A. Lambert, of counsel for the appellant suggested the death of Philip Mc. Aler, the appellant herein and moved the Court to make Mary Jane Mc. Aler Administratrix of the said Philip Mc. Aler the party appellant in this cause. Whereupon, It is now here ordered by the Court that the said Mary Jane Mc. Aler Administratrix of Philip Mc. Aler, deceased; be, and she

is hereby, made the party appellant in this cause.

Gustave G. Shauer
vs. Pet. in Error
U. P. Attorney.
174

On motion of Mr. C. W. Needham, of counsel for the plaintiff in error, leave is hereby granted to file assignment of errors herein.

Ex parte: In the matter of James Lennon.
Appellant.
926

On motion of Mr. Walter A. Smith, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the second Monday of November next after the case heretofore assigned for that day.

The Colorado Central Consolidated Mining Co.
vs.
John Burck.
Appellant.
935

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Willard Teller for Mr. A. W. Orahood, in support of the same, and Mr.

Simon Stern, Mr. A. L. Morrison and Mr. C. S. Hughes, in opposition thereto.

Thomas Foster. vs. Sig. in Error. Phillips Wistar et al.

1038

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. W. W. Gibson, in support of the same, and Mr. James Spencer, in opposition thereto.

34. John A. Gordon et al. Appts. vs. B. A. Warder et al.
35. John A. Gordon et al. Appts. vs. Alex Hoover et al.
36. John A. Gordon et al. Appts. vs. The Champion Machine Co.
37. John A. Gordon et al. Appts. vs. Whitley, Foster & Kelly.

On motion of Mr. Best Cowen, of counsel for the appellants, One hour additional is allowed counsel on each side for the argument of these cases.

The argument of these cases was commenced by Mr. Best Cowen of counsel for the appellants, and continued by Mr. R. H. Parkinson of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Esek Cowen it is ordered that Levi A. Fuller Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. J. Bryan it is ordered that Mrs. Fannie O'Linn, of Chadron, State of Ne-

Brashear be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. G. Smith it is ordered that Otto Gresham, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Charles Moran.
vs. Appellant.
The Pittsburgh, Cincinnati & St. Louis Railway Co. et al.

On motion of Mr. George Hoadly, of counsel for the appellant it is now here ordered by the Court that the submission of this cause be, and the same is hereby, vacated and set aside.

Charles Moran
vs. Appellant.
The Pittsburgh, Cincinnati & St. Louis Railway Company et al.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause having been called to the attention of the Court by Mr. George Hoadly, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William Rader et al.
vs. Pens. in Error & Appts.
Fletcher Waddor et al.

Mr. S. S. Darlington, in behalf of counsel, suggested the death of William Rader, one of the plaintiffs in error and appellants herein, and moved the Court to make Edward N. Teague, Administrator of the said William Rader, a party plaintiff in error and appellant. Whereupon, It is now here ordered by the Court that the said Edward N. Teague, Administrator of William Rader, deceased, be, and he is hereby, made a party plaintiff in error and appellant in this cause.

John H. Gordon et al. Appts. vs. B. H. Warder et al.
John H. Gordon et al. Appts vs Alex Stoever et al
John H. Gordon et al. Appts. vs. The Thompson Wichus Co
John H. Gordon et al. Appts. vs Whitley, Fowler & Kelly.

The argument of these cases was continued by Mr. A. H. Parkinson and Mr. Edmund Wilcox of counsel for the appellees, and concluded by Mr. Frederic P. Fish, of counsel for the appellants.

The Lehigh Zinc & Iron Company (Limited) vs. City in Error. Charles Bamford & Edwin Bamford.

The death of Charles Bamford, one of the defendants in error herein, having been heretofore suggested, It is now on motion of Mr. L. A. Fuller, of counsel for the appellee, ordered that William B. Smith, Administrator of Charles Bamford, deceased, be, and he is hereby made a party defendant in error in this cause.

The Schuyler National Bank, City in Error vs. John C. Bolton,
The Schuyler National Bank. City in Error vs. Neil R Bolton,
The Schuyler National Bank. City in Error. vs. Neil R. Bolton.
The Schuyler National Bank. City in Error. vs. Hector C. Bolton.

The argument of these cases was commenced by Mr. C. G. Bigelow, of counsel for the plaintiff in error. The Court declined to hear further argument.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
George Shiras, Jr.
Howell E. Jackson
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Col J. Crawford, Esquire, of Pierre, State of South Dakota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Palmer it is ordered that Edward S. Pickett, Esquire, of Edwardsville,

State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Englewood Ill. Schnabbelter	Appeal from the Su-
1.	vs. Appellant.	preme Court of the
	The Territory of New Mexico,	Territory of New Mex-
	ex rel: Edward C. Wade.	ico.

This cause having been called to the attention of the Court by Mr. Laurence Maxwell Jr. and a motion by counsel for the appellant to dismiss this cause having been filed. Therefore in pursuance of said motion it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The United States.	Appeal from the
359	vs. Appellant.	Court of Claims.
	Adolph Marx.	

This cause having been called to the attention of the Court by Mr. Solicitor General Max

well, of counsel for the appellant, and a Stipulation to reverse the judgment of the Court of Claims herein, having been filed. Therefore, in pursuance of said Stipulation It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims to be proceeded in according to law.

per Mr. Chief Justice Fuller.

William W. Hickins et al. vs. Appellants Charles B. Culver et al.

12. The death of William W. Hickins, one of the appellants herein, having been heretofore suggested. It is now on motion of Mr. S. G. Hilborn, in behalf of counsel, ordered by the Court that Ann Hickins, Executrix of William W. Hickins, deceased, be, and she is hereby, made a party appellant in this cause.

The Belmont Planting and Manufacturing Company.
88. vs. Appellant
William L. Scott.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Charles Wager.
41. vs. Appellant.
The Providence Washington Insurance Co. et al.
and
The Providence Washington Insurance Co. et al.
49. vs. Appellants.
Henry Morse and Alanson Morse.

The argument of these cases was commenced by Mr. J. A. Hyland of counsel for Wager, continued by Mr. B. D. Mc. Carthy, of counsel for the Insurance Companies, and Mr. Spencer Clinton, of counsel for the Morses, and concluded by Mr. J. A. Hyland.

of counsel for Wager.

The Corbin Cabinet Lock Co.
vs. Appellant.
The Eagle Lock Company.

The argument of this cause was commenced by Mr. John P. Bartlett, of counsel for the appellants, and continued by Mr. Wilmarth H. Thurston, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray. Associate
David J. Brewer. Justices
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that Cyrus Willington, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. G. Hilborn it is ordered that William H. Chapman, Esquire, of Sandusky

cisco State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

27 The Mississippi Mills et al. vs. Lemon Colm et al. Appellants. On motion of Mr. Edward Cunningham Jr., of counsel for the appellants, It is ordered by the Court that this cause be restored to the call after No. 8.

42 The Corbin Cabinet Lock Co. vs. The Eagle Lock Company. Appellant. The argument of this cause was continued by Mr. Wilmarth A. Thurston and Mr. Benjamin Price, of counsel for the appellee, and concluded by Mr. John C. Bartlett, of counsel for the appellant.

43 Mary J. Garner. vs. The Second National Bank of Providence, R.I., et al. Appellant. This cause was argued by Mr. Alexander Britton, of counsel for the appellant, and Mr. C. Langdon Ward, of counsel for the appellees.

Frank Collins
821 vs Pff. in Error
The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. K. Garland, of counsel for the plaintiff in error, and Mr. Solicitor General Maxwell, of counsel for the defendant in error.

Robert W. Hall
822 vs Pff. in Error.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr D. K. Garland, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

John Graves
838 vs Pff. in Error.
The United States.

This cause was submitted to the consideration of the Court on the record, and printed arguments by Mr. D. K. Garland of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

708 John Brown vs. Plff. in Error. The United States. Mr. Solicitor General with of counsel for the defendant in error, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari herein. Whereupon, It is now here ordered by the Court that said motion be, & the same is hereby, granted, and leave is given to file the paper submitted with said motion as a return to said writ, subject to exception by counsel for the plaintiff in error.

708 John Brown vs. Plff. in Error. The United States. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. A. H. Garland of counsel for the plaintiff in error, with leave to counsel for the defendant in error to file a printed argument hereafter.

709 John Porter vs. Plff. in Error. The United States. This cause was submitted to the consideration of the Court on

the record and a printed argument by Mr. Assistant Attorney General Whitney of counsel for the defendant in error, with leave to counsel for the plaintiff in error to file a printed argument within two days.

Sam Hickory.
841. vs. Peff. in Error.
The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, with leave to counsel for the plaintiff in error to file a printed argument within two weeks.

Daniel Wagoner, Collector etc.
47. vs. Peff. in Error.
James E. Heller et al.

The argument of this cause was commenced by Mr. Assistant Attorney General Whitney of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
George Stuart, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Thomas J. Bergin, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A Cammett it is ordered that

Edward O. Mc. Cabe, Esquire, of Merced, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

957 The United States. vs. John D. Patterson. Appellant. This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. Charles C. Binney, of counsel for the appellant and Mr. George A. King, Mr. W. W. Dudley, Mr. Louis C. Michener and Mr. Richard C. Mc. Walton, of counsel for the appellee.

963 The United States. vs. Ezra Baird. Appellant. This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. Charles C. Binney, of counsel for the appellant, and Mr. George A. King, of counsel for the appellee.

Thomas Hughes et al
96 vs. Pltf in Error
The United States

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Maxwell and Mr. Charles C. Binney, of counsel for the defendant in error. No brief filed for the plaintiffs in error.

James Wagoner, Collector &c.
47 vs. Pltf in Error
James B. Heller et al

The argument of this cause was continued by Mr. Edwin B. Smith, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error.

The United States.
268 vs. Plaintiff
Michel Thomas

This cause was argued by Mr. Solicitor General Maxwell, of counsel for the plaintiff. No counsel appeared for the defendant

Dow Moore
787 vs. Pff. in Error
The United States.

This cause was submitted to the consideration of the Court by Mr. Reed and Attorney General Whitney of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

Laura Holder
826 vs. Pff. in Error.
The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Whitney, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

Daniel J. McDaid et al.
786 vs. Plffs. in Error
The Territory of Oklahoma ex rel. Winfield S. Smith et al

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Solicitor General Maxwell of counsel for the plaintiffs in error. No counsel appeared for the defendants in error.

922 Nelson E. Evans, Plff. in Error, vs. The United States
923 Nelson E. Evans Plff. in Error, vs. The United States.

These cases were argued by Mr. Trumpton S. Barrow, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

The Lehigh Zinc & Iron Co. Limited.
8. vs. Plff. in Error.
William E. Smith, Admr. et al.

This cause was argued by Mr. Sidney Ward, of counsel for the plaintiff in error, and Mr. L. A. Fuller, of counsels for the defendants in error.

The Mississippi Mills et al.
27 vs. Appellants.
Simon Cohn et al

The argument of this cause was commenced by Mr. Edward Cunningham Jr., of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October, 23d, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras, Jr
Howell E. Jackson
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. S. G. Hilborn it is ordered that D. J. Murphy, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered

that John A. Luce, Esquire, of Bozeman State of Montana, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States.	In Error to the Circuit
3. vs.	Court of the United States
The Denver & Rio Grande	for the District of Col-
Railway Company.	orado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Jackson.

The United States.	In Error to the Cir-
4. vs.	cuit Court of the
The Denver & Rio Grande Rail-	United States for
road Company, A. A. Carpenter,	the District of
A. L. Carpenter & H. S. Carpenter.	Colorado.

Monday, October 23d, 1893. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Jackson.

The New York and Texas Land Company Limited. vs. Pefs. in Error. Mary Jane Votaw & William S. Slaughter, Executors of William Votaw, deceased. & Mary Jane Votaw, devisee and legatee, etc.

7. In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be,

and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

J. W. Wood, A. C. Diggins,
Charles Gladding, P. McE.
Bean, George Chambers and
Thomas Byrne.
816 vs. Plffs. in Error.
John J. Brady.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motion to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brown.

John C. Johnston.
133 O.G. 1892 vs. Appellant.
The Standard Mining Co.
of Kansas City

It is ordered by the Court that the ordered entered in this cause at the

said term withholding the mandate until the further order of the Court be, and the same is hereby, vacated and set aside.

per Mr. Chief Justice Fuller.

John W. Howard, Admr. of Gustavus Bogh, deceased. vs. Sup. in Error.
17 Oct 1892. Harry Gassert et ab.

On consideration of the petition for a rehearing filed herein, It is now here ordered by the Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Fuller.

The City of Cairo. vs. Sup. in Error.
10 Oct 1892. Joseph Gans.

On consideration of the petition for a rehearing filed herein, It is now here ordered by the Court that said petition be, and the same is hereby, denied. It is further ordered that the order withholding the mandate be vacated and set aside.

per Mr. Chief Justice Fuller.

753 The Columbus Southern Railway Company. vs. Pff in Err'r. William A. Wright. Comptroller General, etc. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the second Monday of January next, after the cases heretofore assigned for that date.

per Mr. Chief Justice Fuller.

1007 William A. Cole. vs. Pff in Err'r. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the case assigned for argument on the first Monday of December next.

per Mr. Chief Justice Fuller.

13 John C. Schillinger et al. vs. Appellants. The United States. It is ordered by the Court that this cause be, and the same is hereby restored to

the docket for argument before a full bench
per Mr. Chief Justice Fuller

Thomas Hughes &c		In Error to the District
Michael Coleman.....		Court of the United States
716.	vs.	Sess. in Error. for the Western District
The United States		of Pennsylvania

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed for want of prosecution.
per Mr. Chief Justice Fuller.

The Aspen Mining & Smelting		Appeal from the Cir-
Company &c Jerome B. Wheeler.		cuit Court of the
918.	vs.	Appellants. United States for the
Margaret Billings, James O.		District of Colo-
Wood et al.....		rado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Aspen Mining & Smelting Company & Jerome B. Wheeler, vs. Margaret Billings, James O. Wood, et al. ..... Appellants.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	Yee Ah Shew	Appeal from the Circuit Court
409	vs. Appellant.	of the United States for the Nor-
	The United States	thern District of California.

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell of counsel for the appellee, and an authority of counsel for the appellant to dismiss this cause having been filed. Therefore, in pursuance of said authority It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed

per Mr. Chief Justice Fuller.

	The United States: ex rel: The	In Error to the
	International Contracting Co.	Supreme Court
878	vs. Pty. in Error.	of the District
	Stephen B. Elkins, Secretary	of Columbia.
	of the Department of War.	

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell, and a suggestion by counsel for the plaintiff in error that the cause has abated having been filed Therefore, in pursuance of

said suggestion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Covington & Cincinnati Elevated Railroad & Transfer & Bridge Company.
1043 vs. Plff. in Error
The Commonwealth of Kentucky.

Mr. Laurence Maxwell Jr. in behalf of counsel for the plaintiff in error submitted to the consideration of the Court a motion to advance this cause.

S. W. Carey et al.
92 vs. Appellant.
The Houston & Texas Central Railway Co. et al.

The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. Hubley Ashton, Mr. Charles A. Reed and Mr. A. A. Johns, in support of the same, and Mr. Jefferson Chandler and Mr. A. C. Dittenhoefer, in opposition thereto.

The motion to postpone the hearing of the

motion to dismiss to leave the record printed as certified to this Court and for leave to make an oral argument on said motion to dismiss was submitted to the consideration of the Court by Mr. Jefferson Chandler and Mr. A. J. Dittenhoefer, in support of the same

In the matter of certain importations of merchandise made by G. A. Salm & Co., per "Alps". 1023

The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on a printed argument by Mr. Edwin B. Smith, in support of the same.

A. R. Bushnell et al vs. Pltf. in Error. 1895 No. 95

The Brooke Mining and Smelting Co.

Mr. Thomas Lynch, in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion for leave to file a petition for a rehearing in this cause

Reuben B. Miller, Executor etc., et al. vs. Plffs. in Error.
362 John Swann & John A. Billups, Trustees et al.

Mr. Ellis Phelan of counsel for the plaintiffs in error, suggested the death of John A. Billups, one of the defendants in error herein, and the appointment of William J. Cameron as his successor as Trustee, and moved the Court, with the consent of counsel for the defendants in error, to make the said William J. Cameron, Trustee, a party defendant in error. Whereupon, It is now here ordered by the Court that the said William J. Cameron, Trustee, be, and he is hereby, made a party defendant in error in this cause.

Reuben B. Miller, Executor etc., et al. vs. Plffs. in Error.
362 John Swann & Wm. J. Cameron, Trustees et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Ellis Phelan, of counsel for the plain-

tiff in error, and Mr. J. A. W. Smith, of counsel for the defendants in error.

Henry E. Mc. Kee. vs. Ward H. Lamon. Appellant

Mr. John W. Weed, of counsel for the appellant, suggested the death of Ward H. Lamon, the appellee in this cause, and moved the Court for an order under the 15th rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Ward H. Lamon, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the appellant shall be entitled to open the record, and on hearing, have the decree reversed, if it be erroneous: Provided, however That a copy of this order shall be printed in some newspaper of general circulation within the District of Columbia, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court then next ensuing.

Jeff Harrison. vs Pet. in Error. The United States. Mr. J. A. W. Smith, submitted to the consideration of the Court a motion for leave to docket this cause and proceed in forma pauperis and that the record be printed at public expense.

Ex parte: In the matter of Lewis B. Parsons Jr. Petitioner. and Ex parte: In the matter of Alexander P. Munroger. Petitioner. The motions for leave to file petitions for writs of mandamus herein were submitted to the consideration of the Court on printed arguments by Mr. J. A. W. Smith and Mr. David D. Shelby, in support of the same, and Mr. Solicitor General Maxwell in opposition thereto.

The City of New Orleans. vs. Appellant. H. W. Benjamin et al. 281. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed argu-

ments by Mr. William Grant, in support of the cause, and Mr. Henry C. Miller and Mr. B. A. O'Sullivan, in opposition thereto.

The Northern Pacific Railroad Company. — Appellant
10-46. vs.
A. G. Clark, County Auditor &c. — Mr. A. H. Garland, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of John Bonner. — Petitioner. — Mr. John C. Cheney, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

William L. Wallace, as sole Executor of the last will & testament of Isabella Wallace, deceased, et al. — Appellants.
28. vs.
Theodore W. Myers, Comptroller of the City of New York. — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attent

ion of the Court by Mr. George K. Branch, of counsel for the appellee and a stipulation to dismiss the cause having been filed. Therefore, in pursuance of said stipulation it is now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby, dismissed.

per Mr. Chief Justice Waite.

Moses H. Scott. vs. Plff. in Error. John Mc. Neal et al.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. William S. Porter, of counsel for the plaintiff in error, and Mr. Milo A. Root, of counsel for the defendants in error.

The Mississippi Mills et al. vs. Appellants. Simeon Cobb et al.

The argument of this cause was concluded by Mr. Edward Cunningham Jr., of counsel for the appellants.

No counsel appeared for the appellees.

78 Edward Byrne, Appellant vs. The United States. Ordered by the Court that this cause be passed, on account of sickness of counsel.

26. Charles Moran et al. Appts. vs. The Walash Western Railway Co
87. The United States Trust Co. of N. Y. Appt vs. The Walash Western Railway Co
87. The Walash Western Railway Co Appt vs. The United States Trust Co. of N. Y.

The argument of these cases was commenced by Mr. S. W. Stubbs, of counsel for Moran et al. and The United States Trust Co., and continued by Mr. F. W. Lehmann of counsel for The Walash Western Railway Co.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday. October, 24th, 1893.

Court met pursuant to adjournment the Court and Today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras. Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the forenoon by Mr. Payson E. Tucker it is ordered that Charles F. Perkins, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

No. Charles Moran et al. Appts. vs. The Wabash Western Railway Co.
No. The United States Trust Co. of N.Y. Appts. vs. The Wabash Western Railway Co.
No. The Wabash Western Railway Co. Appt. vs. The United States Trust Co. of N.Y.

On motion of Mr. E. W. Sheldon, of counsel for Moran et al. vs The United States Trust Co. leave is hereby granted him to file an additional brief in these cases

The argument of these cases was continued by Mr. C. W. Lehmann of counsel for the Colorado Western Railway Co., and concluded by Mr. Theodore Sheldon of counsel for Moran et al vs The United States Trust Co.

A. A. Gunnar et ab.
vs. Appellants.
The Colorado Oil Co.

50. This cause was argued by Mr. D. W. Patterson, of counsel for the appellants. No counsel appeared for the appellee.

J. Leslie Thompson, Receiver etc.
vs. Repp. in Error.
The Sioux Falls National Bank of Sioux Falls, Dakota.

53. The argument of this cause was commenced by Mr. Thomas C. Mc. Martin of counsel for the plaintiffs in error, and continued by Mr. C. K. Davis and Mr. G. A. Madill, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Mc. Cammon it is ordered that Joseph de F. Conkrin, Esquire, of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Palmer it is ordered

that Charles O. Bailey, Esquire of Sioux Falls Dak. of Dakota Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

56. Jesse P. Farley ... Appellant. vs. James J. Hill et al. ... Ordered by the Court that this cause be passed, un til Monday next.

288. Ellis V. Hughes ... Plff. in Error. vs. The Dundee Mortgage and Trust Investment Company, Limited. ... In Error to the Circuit Court of the United States for the District of Oregon.

This cause having been called to the attention of the Court by Mr. J. W. Apple, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Thereupon, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

289. Ellis G. Hughes. vs. Pff. in Error. The Dundee Mortgage & Trust Investment Company, Limited. In Error to the Circuit Court of the United States for the District of Oregon.

This cause having been called to the attention of the Court by Mr. J. H. Boyle of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

60. The Empire Coal & Transportation Co. vs. Appellant. The Empire Coal & Mining Co. et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. D. K. Garland and Mr. H. J. Bay, of counsel for the appellant. No counsel appeared for the appellee.

J. Leslie Thompson, Receiver &c. ... The argument
53 ..... vs. ..... Piff. in Error. of this cause
The Sioux Falls National Bank was continued
of Sioux Falls, Dakota. by Mr. G. A. Mar-
tin of counsel
for the defendant in error, and concluded by
Mr. C. S. Mc. Martin of counsel for the plaintiff
in error.

The Lane & Bodley Co. This cause was argued
52. ..... vs. ..... Appellant. by Mr. L. M. Hosea, of
Joseph M. Locke ..... counsel for the appellant,
and Mr. G. A. Logan, of
counsel for the appellee.

Edward A. Teague, Admr. et al. The argument
51. vs. Plff. in Error & Appls. of this cause
Fletcher Maddox et al. was commenced by Mr. H. J
May, of counsel for the plaintiffs in error, and
appellants.

Proclamation being made the Court is adjourned
until to-morrow at Twelve o'clock.

Court met to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Stephen J. Field. } Associate
John M. Harlan. } Justices.
Horace Gray. }
David J. Brewer. }
Henry B. Brown. }
George Shiras, Jr. }
Howell E. Jackson. }

John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. B. Kilgore it is ordered that Henry M. Cook, Esquire, of Greeley, State of Colorado be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

Benjamin F. La Warre. } Appeal from the Circuit
vs. Appellant. } Court of the United States
The Mexican International } for the Eastern Dis-
Improvement Co., et al. } trict of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Field.

Edward H. Reagan Admr. et al
vs. Appts. in Error & Appls.
Fletcher Maddox, et al.

311.

The argument of this cause was continued by Mr. H. J. May, of counsel for the plaintiffs in error and appellants, and Mr. Fletcher Maddox, one of the defendants in error and appellees, in proper person and concluded by Mr. H. J. May of counsel for the plaintiffs in error and appellants.

Samuel H. Lyford et al.
vs. Appellants.
Charles A. Moses.

310.

On motion of Mr. John H. Beach, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is

hereby advanced and assigned for argument with No. 35, as one case, per stipulation.

38. Wm. H. Knapp et al. Appellants, vs. Charles A. Morse.
310. Samuel H. Lloyd et al. Appellants, vs. Charles A. Morse.

These cases were argued by Mr. John K. Beach, of counsel for the appellants, & Mr. Charles E. Perkins & Rufus B. Tucker, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 27th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that Warren Crawford Gregory, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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hereby, advanced and assigned for argument with No. 36, as one case per stipulation.

36. Wm. H. Knapp et al. Appellants, vs. Charles A. Morse.
310. Samuel H. Lyford et al. Appellants, vs. Charles A. Morse.

These cases were argued by Mr. John N. Beach, of counsel for the appellants, & Mr. Charles E. Perkins & Payson E. Tucker, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October, 27th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W Fuller, Chief Justice
Stephen J. Field.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that Warren Crowlow Gregory, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States
585 vs. Appellants.
The Late Corporation of the Church of Jesus Christ of Latter Day Saints.

Mr. C. S. Richards of counsel for the appellee, submitted to the consideration of the Court a motion for a decree herein.

J. L. Thomson et al.
68. vs. Appellants.
The Smith & Griggs Manufacturing Co. et al

Ordered by the Court that this cause be, & the same is hereby, continued until the next term, per stipulation of counsel.

The Salt & Sochel Pasteur Co. of Washoe N. T.
58 vs. Appellants.
Edwin J. Kraetzer.

This cause was argued by Mr. Thomas Wm Clarke, of counsel for the appellant, & Mr. John R. Bennett of counsel for the appellee.

R. S. Hollins, Sr. et al.
29 ... vs. ... Appellants.
The Briarfield Coal & Iron Co., et al. .....

The argument of the cause was commenced by Mr. O. C. Conner of counsel for the appellant.

Court adjourned being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. G. Vilas it is ordered that Samuel M. Porter, Esquire, of Carey, State of Kansas. Newman H. Field, Esquire, of Chicago, State of Illinois, and Almerin Fuller, Esquire of Kansas City, State of Kansas, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that George K. Corman Esquire, of Portland, State of Oregon be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. L. Wallow it is ordered that Charles L. Harlman, Esquire, of Bozeman and Robert Lee Word, Esquire, of Helena, State of Montana, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Corbin Cabinet Lock Company. Appellant.
v.
The Eagle Lock Company.

42. Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, ad

judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

(Mr. Justice Brown did not sit in this case and took no part in its decision).

John H. Gordon, Mary A. Gordon as Executrix of James G. Gordon, deceased, and Eliza W. Osborne, Frederick Harris and Thomas M. Osborne, Executors of David M. Osborne, dec'd. — Appeal from the Circuit Court of the United States for the Southern District of Ohio.

34 — vs. — Appellants.

Benjamin A. Warder, Asa S. Bushnell and John G. Hessner.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Swayne.

John H. Gordon, Mary A. Gordon, as Executrix of James G. Gordon, deceased &c & Eliza W. Osborne, Frederick Harris & Thomas W. Osborne, Executors of David W. Osborne, decd		Appeal from the Circuit Court of the United States for the Southern District of Ohio
35	v. Appellants	
Abel Hoover & William Gaulter.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

John H. Gordon, Mary A. Gordon as Executrix of James G. Gordon, deceased, and Eliza W. Osborne, Frederick Harris and Thomas W. Osborne, Executors of David W. Osborne, decd.		Appeal from the Circuit Court of the United States for the Southern District of Ohio
36.	v. Appellants.	
The Champion Machine Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

John A. Gordon, Mary A. Gordon as Executrix of James A. Gordon, dec'd, vs. Eliza W. Osborne, Frederick Harris and Thomas W. Osborne, Executors of David W. Osborne, dec'd. ..... Appellants.

37 vs.

Whitely, Paxton and Kelly.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in

This cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong.

The United States. Appeal from the
768 vs. Appellant. Court of Claims.
Ezra Baird.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition.

per Mr. Justice Brown.

Tom Moore. In Error to the Circuit Court
787 vs. Eff. in Error. of the United States for the East-
The United States. ern District of Texas.

This cause came on to be heard on the Tran-

cript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

Frank Collins		In Error to the Circuit Court
821	vs.	of the United States for the West-
The United States	Plff. in Error	ern District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

The United States
751. vs. Appellant. Appeal from the Court of Claims.
John C. Patterson.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby remanded to the said Court of Claims with directions to render judgment for the United States

per Mr. Justice Brewer.

Daniel Magone Collector
of the Port of New York.
47. vs. Pff. in Error
James B. Heller & Adolph Hirsh. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: And that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Brewer.

(Mr. Justice Brewer was not present at the argument and took no part in the decision of this case).

Robert M. Stall
vs.
The United States.

In Error to the Circuit Court of the United States for the Western District of Arkansas.

822 Cliff in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed: And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Thomas Cooley
v. Error to
William Wisdom et al. Cir. Ct. U.S. Mich.

It is ordered by the Court that the further consideration of the motions to dismiss or affirm in this cause be and the same is hereby postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller

In the matter of certain importations of merchandise made by Gustave A. Salus & Co. per "Aeps" August 15, 1890.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit

Court of Appeals for the Second Circuit, and of the argument of counsel in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

No. 26. The Covington & Cincinnati Bridge Company vs. The Commonwealth of Kentucky. And No. 27. The Covington & Cincinnati Elevated Railroad & Transfer & Bridge Co. vs. The Commonwealth of Kentucky. Pff. in Error

On consideration of the motions to advance these cases. It is now here ordered by the Court that said motions be, and the same are hereby granted and the cases assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Northern Pacific Railroad Company. vs. Appellant.
1045 A. E. Clark, County Auditor etc.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby granted and the cause assigned for argument before a full bench at the same time with and after cases Nos. 612 and 357 on the docket for the present term.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John Bonner. Petitioner.

On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, and of the argument in support of the same, it is now here ordered by the Court that said motion be and the same is hereby granted.

per Mr. Chief Justice Fuller

Ex parte: In the matter of John Bonner Petitioner.

On consideration of the petition of John Bonner,

It is now here ordered by the Court that cause be shown by C. W. Madden Warden of the State Penitentiary of the State of Iowa, before this Court at Washington, on Monday, the 13th day of November A.D. 1893, at 10 o'clock noon of that day or as soon thereafter as counsel can be heard, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

O. C. Eastwell et al. vs. The Crooke Mining and Smelting Co. 22 C.C. 523

On consideration of the motion for leave to file a petition for rehearing herein, It is now here ordered by the Court that said motion be and the same is hereby denied

per Mr. Chief Justice Fuller

The Schuyler National Bank of Schuyler, Nebraska vs. Hector E. Golberg. 518.

In Error to the Supreme Court of the State of Nebraska

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

(Mr. Justice Brown did not sit in this case and took no part in its decision).

The Schuyler National Bank of Schuyler, Nebraska. vs. John L. Bellamy.

In Error to the Supreme Court of the State of Nebraska.

38. Off. in Error

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

(Mr Justice Brown did not sit in this case and took no part in its decision)

37 The Schuyler National Bank of Schuyler Nebraska. vs. Neil R. Bellows. Pff in Error. In Error to the Supreme Court of the State of Nebraska.

The cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

(Mr Justice Brown did not sit in this case and took no part in its decision)

37 The Schuyler National Bank of Schuyler, Nebraska vs. Neil R. Bellows. Pff in Error. In Error to the Supreme Court of the State of Nebraska

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof it is now here ordered, and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

(Mr. Justice Brown did not sit in this case, and took no part in its decision).

Louis Holden. In Error to the Circuit Court
vs. Error to of the United States for the West-
The United States. ern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Fuller.

The United States
vs
Robert Barber.

Appeal from the District Court of the United States for the Middle District of Alabama.

This cause having been called to the attention of the Court by Mr. Solicitor General Harwell, of counsel for the appellant, and a confession of error and consent to a reversal of the judgment herein having been filed. Therefore, in pursuance of said confession and consent, It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby reversed; and that this cause be and the same is hereby, remanded to the said District Court for further proceedings in accordance with law.

per Mr. Chief Justice Fuller.

The State of Maryland,
vs
Orig.
The State of West Virginia.

Complainant.

On motion of Mr. John P. Poe, of counsel for the complainant,

leave is hereby granted to file the answer of the complainant to the cross-bill of the

defendant and a stipulation of counsel in relation thereto.

Robert L. Wharton
to Appellant.
John N. Wise Sheriff etc.

Mr. John P. Poe of counsel for the appellant submitted to the consideration of the Court a motion to advance this cause.

1007

Peter Dougherty.
to Pff. in Error.
The Nevada Bank of San Francisco.

Mr. James E. Maguire in behalf of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

776

The State of California
vs. Complainant.
Southern Pacific Co.

Mr. W. H. H. Hart of counsel for the complainant, submitted to the consideration of the Court a motion for leave to file a Bill in Equity herein and that a subpoena issue to the defendant.

67.	J. Wilson Martin.	Pff. in Error.	Mr. D. B. Lucas of
	vs.		counsel for the plain-
	The Baltimore & Ohio Rail-		tiff in error, sug-
	road Company		gested the death of
			J. Wilson Martin,

the plaintiff in error and moved the Court to make L. B. Sterling, Sheriff of Berkeley County, West Virginia, Administrator of the said J. Wilson Martin, deceased, the party plaintiff in error in this cause. Whereupon, It is now here ordered by the Court that the said L. B. Sterling, Sheriff of Berkeley County, West Virginia, Administrator of J. Wilson Martin, deceased be and he is hereby made the party plaintiff in error herein.

	The Richmond Silver Mining Co.		Mr. L. J. Burdett,
538.	vs.	Pff. in Error.	in behalf of
	Victor Dorne.		counsel sug-
	and		gested the
	Victor Dorne.		death of Victor
584.	vs.	Pff. in Error.	Dorne, and mov-
	The Richmond Silver Mining Co.		ed the Court
			to make Lil-

lian Koenigsberger, Administrator of the

said Victor Dorus, a party in these cases. Whereupon, It is now here ordered by the Court that the said Sebastian Baumgartner, Administrator of Victor Dorus deceased, be and he is hereby made a party in these cases.

A.R. Gunnaer et al. vs. The Colorado Oil Co. Appellants

50

On motion of Mr. W. B. Gerry, in behalf of counsel for the appellee, leave is hereby granted to file affidavits in support of a motion for leave to file a printed brief herein on behalf of the appellee, and said motion is postponed until Monday next.

O. B. Miller & L. L. Miller vs. John Caldwell. Plffs. in Error.

190.

Mr. Almerin Gillett, of counsel suggested the death of O. B. Miller, one of the plaintiffs in error herein, and submitted to the consideration of the Court a motion to revive the cause as to said O. B. Miller in the name of The Hutchinson Investment Company of Hutchinson, Kansas, as a party plaintiff in error in this cause.

Michael Moran et al. — Mr. J. B. Warden,
172. vs Appts. in Error. — of counsel for
Frank A. Burgess, Receiver etc. — the plaintiffs
in error sub-
mitted to the consideration of the Court a
motion to advance this cause.

John A. Greene et al. — Appeal from the Circuit Court
69. vs Appellants. — of the United States for the
David A. Woodhouse et al. — Southern District of New York.

This cause having been called for hearing
in its regular order, and it appearing to the
Court that the parties have failed to print
the transcript of the record. It is therefore, in
pursuance of the 10th rule of this Court now
here ordered, adjudged and decreed by this
Court that this appeal be, and the same is
hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

R. L. Hollins Jr. et al. — The argument of
39. vs Appellants. — this cause was
The Briarfield Coal & Iron — continued by Mr.
Co., et al. — A. P. Loudon, of

counsel for the appellants, and Mr. W. C. Walthall and Mr. B. W. Pellus, of counsel for the appellees, and concluded by Mr. A. J. Condon, of counsel for the appellants.

56 Jesse C. Parley. vs. Appellant
James J. Hill et al.

On motion of Mr. George B. Young, of counsel for the appellees, one hour additional is allowed counsel on each side for the argument of this cause.

The argument of this cause was commenced by Mr. H. D. Beam, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday, October, 31st, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. G. Vibas it is ordered that Louis A. Reynolds, Esquire, of Amsterdam, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered

that Charles Roe, Esquire of Rochester, State of New York, and Preston F. Lunenda, Esquire of Nevada City, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Marshal Tucker
vs. Pff. in Error.
The United States.

Ordered by the Court that this cause be, and the same is hereby re-assigned for argument on the first Monday of December next, after the cases heretofore assigned for that day.

Robert G. Aspley
vs. Pff. in Error.
J. C. Murphy et al.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. A. H. Garland, in support of the same, and Mr. W. S. Simkins, Mr. G. M. Etheridge and Mr. W. C. Allison, in opposition thereto.

Jesse C. Parlett
vs
James C. Trieb et al.

Appeal from Anne Arundel.

The argument of this cause was continued by Mr. H. D. Evans, of counsel for the appellant, and Mr. George C. Young and Mr. John Hayward Hartman, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November, 1st, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray, Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur J. Brown it is ordered that Ernest Howard Scheiber, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wm. Martin Isaby et al. vs The United States — Appellants

On motion of Mr. W. A. McKinney, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the second Monday of November after the cases heretofore assigned for that day.

58 Jesse P. Burley vs James J. Hill et al — Appellants

The argument of this cause was continued by Mr. John Maynard Harlan, of counsel for the appellee, and concluded by Mr. George E. Newman, of counsel for the appellants.

59 Frank J. Primrose vs The Western Union Telegraph Co. — Pff. in Error

The argument of this cause was continued by Mr. Joseph H. Choate, of counsel for the plaintiff in error, and continued by Mr. S. W. Pettit for Mr. John C. Dillon of counsel for the defendant in error

Thereupon there being no further business before the Court it adjourned until to-morrow at twelve o'clock

Thursday, November 2d, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Mr. John F. Dillon it is ordered that G. A. Vanderveer, Esquire, of Kansas City, State of Missouri be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. H. Te Mc. Pierson it

dered that Joseph W. Stryker, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. G. Holborn it is ordered that H. G. W. Dinkelspiel, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States. Appeal from the
978 v. Appellant Court of Claims.
Thomas W. King.

This cause having been called to the attention of the Court by Mr. C. C. Lancaster, of counsel for the appellee, and a stipulation of counsel to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States. On motion of Mr. C. C.
175 vs. Appellant. Lancaster, of counsel
Thomas H. King. for the appellee, leave
is hereby granted the
Clerk to issue the mandate in this cause.

L. H. Schneider. In Error to the Su
103 vs. Plff. in Error. preme Court of the
Benjamin H. Keyser. District of Columbia.

It appearing to the Court that a motion
by counsel for the plaintiff in error to dis-
miss this cause has been filed. Therefore,
in pursuance of said motion, It is now
here ordered and adjudged by this Court
that the writ of error in this cause be, and
the same is hereby, dismissed with costs.
per Mr. Chief Justice Fuller.

Frank J. Primrose. The argument
59 vs. Plff. in Error. of this cause
The Western Union Telegraph Co. was continued
by Mr. John F.
Dillon of counsel for the defendant in error,
and concluded by Mr. Joseph H. Choate on

of counsel for the plaintiff in error.

61. J. Catlett Gibson. vs. Pltf. in Error. Wm. H. Peters, Receiver etc. This cause was argued by Mr. R. W. Hughes, of counsel for the plaintiff in error, and Mr. L. T. Michener and Mr. Theodore S. Garnett, of counsel for the defendant in error.

62. Daniel T. Hedges et al. vs. Appellants. The County of Dixon. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Woolworth, of counsel for the appellants, and Mr. J. M. Thurston, of counsel for the appellee.

63. Nathan C. Morse, Jr. et al. vs. Pltf. in Error. John Jay Anderson. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Thomas G. Hargis, of counsel for the plaintiffs in error. No counsel appeared for the

defendant in error.

W. G. Howard et al, Executors etc. vs. Appellants
64. The Detroit Stove Works.

The argument of this cause was continued by Mr. W. G. Howard, of counsel for the appellants.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock.

Friday, November, 3d, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the behalf by Mr. Peter Caulfield it is ordered that Emory A. Chase, Esquire, of Catskill, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Clearfield Bituminous Coal Co. Ordered by
vs Jeff. in Error. the Court
The Commonwealth of Pennsylvania. that this cause be,

and the same is hereby passed for settlement

Joseph Spaulk. In Error to the Circuit Court
218. vs. Pff. in Error of the United States for the
Daniel Richter. Northern District of Illinois.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

W. G. Howard et al, Executors etc. The argu-
604. vs. Appellants. ment of this
The Detroit Stove Works. cause was
continued

by Mr. W. G. Howard, of counsel for the appellants, and Mr. George K. Lothrop, of counsel for the appellee, and concluded by Mr. W. G. Howard, of counsel for the appellants

William Baldwin.
vs. Pff. in Error.
Emory A. Chase et al.,
Executors etc.

This cause was argued by Mr. Everett P. Wheeler, of counsel for the plaintiff in error, and Mr. Peter Caulkins, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 6th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

John Brown. In Error to the Circuit Court
758 vs. Pff. in Error of the United States for the
The United States. Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the judgment and award a new trial.

per Mr. Justice Jackson.

Charles E. Wager.

41. vs. Appellant. Appeals from
The Providence Washington Insurance Company of Providence, R.I. et al. the Circuit
and Court of the
The Providence Washington Insurance Company of Providence, R.I., et al. United States
49. vs. Appellants. for the Northern District
Henry Morse & Alanson Morse. of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, on separate appeals and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the

said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Shiras.

The Ball & Socket Fastener Company of Hartford, U.S. vs. Edwin J. Kraetzer. Appellant: Appeal from the Circuit Court of the United States for the District of Massachusetts.

558

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, except that appellee shall pay one half of the cost of printing the record.

per Mr. Justice Brewer.

John Graves. vs. Plff. in Error The United States. In Error to the Circuit Court of the United States for the Western District of Ark

238

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Brewer.

Edward A. Teague, Administrator of William Rader, deceased, Alonzo Spencer, Charles Wayne Louis Heitman et al. vs. Fletcher Maddox & William Gaddis. (Petn. in Error & Appls.)

In Error and Appeal from the Supreme Court of the Territory of Montana.

54.

This cause came on to be heard on the Transcript of the record from the Supreme

Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Montana, with instructions to award a new trial.

per Mr. Justice Brewer.

(The Chief Justice did not hear the argument and took no part in the decision of this case).

Reuben B. Miller, Executor of D. B. Miller, deceased, Reuben B. Miller, Clifford H. Miller et al. vs. Frank G. Anderson and William J. Cameron, Trustees, W. J. Vankirk et al. — In Error to the Supreme Court of the State of Alabama.

362. Pefft. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whe-

of It is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brewer.

The Empire Coal & Transportation Company. vs. The Empire Coal and Mining Company, J. R. Richardson and Horton Pall, Executors of William H. Evans, deceased, et al. — Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Jeff Harrison. On consideration of
vs. Pff. in Error. the motion for leave
The United States. to docket this cause
and to proceed in
forma pauperis, it is now here ordered by
the Court that said motion be, and the
same is hereby, granted.
per Mr. Chief Justice Fuller.

Thomas C. Chappell. It is ordered by the
83 vs. Pff. in Error. Court that this cause
James M. Waterworth. be, and the same is
hereby, passed for
argument before a full bench.
per Mr. Chief Justice Fuller.

D.B. Miller & L.L. Miller. On consider-
190 vs. Pffs. in Error. ation of the sug-
John Caldwell. gestion of the
death of D.B.
Miller, one of the plaintiffs in error herein
and the motion to revive the cause as to
the said D.B. Miller in the name of The
Hutchinson Investment Company of Hutchin
son, Kansas, as a plaintiff in error in the

cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted. per Mr. Chief Justice Fuller.

Peter Dougherty.
716 vs. Pff. in Error.
The Nevada Bank of San Francisco.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied. per Mr. Chief Justice Fuller.

Sam Hickory.
811 vs. Pff. in Error.
The United States.

It is ordered by the Court that the time granted counsel for the plaintiff in error to file briefs herein be, and the same is hereby, extended for fifteen days. per Mr Chief Justice Fuller.

Michael Moran et al.
876 vs. Pffs. in Error.
Frank A. Sturges, Receiver etc.

On consideration of the motion to advance this cause, It is now here ordered by the Court

that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of January next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Robert E. Asphy. vs. Pff. in Error J. P. Murphy et al. 733

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The City of New Orleans. vs. Appellant. H. W. Benjamin et al. 781

On consideration of the motion to dismiss herein and of the argu-

ment of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Robert L. Wharton. vs. John H. Wise, Sheriff etc. Appellant. 1051

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The State of California. vs. Southern Pacific Company. Complainant.

On consideration of the motion for leave to file a bill in equity and that a subpoena issue to the defendant therein, It is now here ordered by the Court that said motion be, and the same is hereby, granted, the subpoena to be

returnable on the first Monday of March next.

per Mr. Chief Justice Fuller.

Nathan C. Morse, Junior and Charles Evans. vs. Jeffs. in Error. John Jay Anderson.

In Error to the Circuit Court of the United States for the District of Kentucky

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

387 The United States. vs. Appellant. The Late Corporation of the Church of Jesus Christ of Latter Day Saints et al.

Appeal from the Supreme Court of the Territory of Utah

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and on a motion by counsel for the appellees to reverse the decree herein. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Supreme Court for such further proceedings as to law and justice may appertain, in conformity with the provisions of the joint resolution of Congress, approved October, 25, 1893.

per Mr. Chief Justice Fuller.

935 The Colorado Central Consolidated Mining Company. vs. John Burch. Pltf. in Error. In Error to the United States Circuit Court of Appeals for the Eight Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth

Circuit, and on motions to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Colorado.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Louis B. Parsons, Jr. Petitioner. On consideration of the motion for leave to file a petition for a writ of mandamus herein and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of Alexander P. Minniger. Petitioner. On consideration of the motion for leave to file

a petition for a writ of mandamus herein, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Arthur Crapo. — Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, submitted to the consideration of the Court a motion to pass this case, per stipulation of counsel.

94 v. Pfff. in Error.

E.L. Stebbins, Collector etc.

Ex parte: In the matter of C.B. Swan. — Mr. D.A. Townsend, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of habeas corpus.

Petitioner.

1358. William L. Mc. Gail vs. The State of South Carolina. In Error.

Mr. D. A. Townsend of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"The State of South Carolina.

vs.

William L. Mc. Gail.

I, Albert Mc. Bonner, Clerk of the Supreme Court of the State of South Carolina, do hereby certify that in a certain cause pending in said Court wherein The State of South Carolina was plaintiff, and William L. Mc. Gail was defendant, a final judgment (or decree) was rendered by said Supreme Court on the 28th day of May, A. D. 1892, in favor of said plaintiff and against said defendant and that on the 15th day of August A. D. 1892, said defendant sued out a writ of error to remove the said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Supreme Court at the City of Columbia,

E. Seal 3.

the third day of November, A.D. 1893.

Albert M. Boozer.
Clerk of the Supreme Court of
the State of South Carolina."

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the plaintiff in error has failed to have his cause filed and docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of South Carolina be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Josie Williams.
1059 vs. Pff. in Error.
C. H. Clancy and D. W. Clancy.

Mr. H. J. May, of counsel for the defendants in error, having filed in open Court the for-

lowing certificate, to wit:

"Supreme Court of the State of Washington.

I, C. S. Reinhart, Clerk of the Supreme Court of the State of Washington do hereby certify that in a certain cause pending in said Court wherein Josie Williams was plaintiff in error and F. H. Clancy and F. W. Clancy were defendants in error, a final judgment was rendered by said Supreme Court on the 18th day of December, A.D. 1892, in favor of the said defendants in error, F. H. Clancy and F. W. Clancy, and against the said plaintiff in error: and that on the 8th day of February, A.D. 1893, said plaintiff in error, Josie Williams, sued out a writ of error to said Supreme Court directed to remove said cause to the Supreme Court of the United States.

In testimony whereof, I hereunto subscribe my name and affix the seal of the said Supreme Court at Olympia, this 13th day of October, A.D. 1893.

[Seal]

C. S. Reinhart,
Clerk."

moved the Court to docket and dismiss the cause pursuant to the 9th rule: and it appearing to the Court that the plaintiff in error has failed to have her cause filed & docketed in conformity with the rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Washington be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Peter Reis and
O. Loubradiue.
1060. vs. Pets. in Error.
D. H. Clancy & F. W. Clancy.

Mr. H. J. Way, of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

"Supreme Court of the State of Washington.
I, C. S. Reinhart, Clerk of the Supreme Court of the State of Washington, do hereby certify

that in a certain cause pending in said Court wherein Peter Reis and A. Loubradiue were plaintiffs in error; and F. H. Clancy & al G. W. Clancy were defendants in error, a final judgment was rendered by said Supreme Court on the 13th day of December, A.D. 1892, in favor of the said defendants in error, F. H. Clancy and G. W. Clancy and against the said plaintiffs in error: and that on the 8th day of February A.D. 1893, said plaintiffs in error, Peter Reis and A. Loubradiue, sued out a writ of error directed to remove said cause to the Supreme Court of the United States.

In testimony whereof I hereunto subscribe my name and
Seal. affix the seal of the said Supreme Court at Olympia, this 13th day of October, A.D. 1893

C. S. Reinhart,
Clerk."

moved the Court to docket and dismiss this cause pursuant to the 7th rule: and it appearing to the Court that the plaintiffs in error have failed to have their cause filed and docketed in conformity with the

rules of this Court, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of Washington be, and the same is hereby, dismissed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

A. K. Hammer et al
vs. Appellants.
The Colorado Oil Co.

50. On motion of Mr. W. B. Gerry, in behalf of counsel, leave is hereby granted counsel for the appellee to file a printed brief herein, and counsel for the appellants to file a reply thereto.

David L. Hammond et al.
vs. Plff. in Error.
The Connecticut Mutual Life Insurance Company.

937. The motion for an order directing the plaintiffs in error to cause the record herein to be printed or to give additional security for costs was submitted

to the consideration of the Court on printed arguments by Mr. J. B. Henderson and Mr. F. D. Mc. Kenney, in support of the same, and Mr. D. T. Jewett, in opposition thereto.

L. C. Gerling, Sheriff etc., Admr. of J. Wilson Martin, deceased.
vs. Pff. in Error.
The Baltimore & Ohio R.R. Co.

This cause was argued by Mr. O. B. Lucas of counsel for the plaintiff in error, and Mr. John K. Cowen, of counsel for the defendant in error.

67.

Robert Turner et al.
vs. Appellants.
Alfred A. K. Sawyer

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. C. Rockwell, of counsel for the appellants, and Mr. Edward Lowe and Mr. F. D. Mc. Kenney, of counsel for the appellee.

70.

Bridena Elliott, widow etc.
vs. Peff. in Error.
The Chicago, Milwaukee & St. Paul Railway Co.

The argument of this cause was commenced by Mr. Melvin Trippy, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, November 7th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Melvin Grigsby it is ordered that Edwin B. Hale and Conrad Reno, Esquires, of Boston, State of Massachusetts, be admitted to practice as Attorneys & Counsellors of this Court, and they were sworn accordingly.

Arthur Onget
74 vs. Pff. in Error.
E.L. Hedden, Collector etc.

Ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of the 26th rule.

Biddeua Elliott, widow etc.
71. vs. Pff. in Error.
The Chicago, Milwaukee & St. Paul Railway Co.

The argument of this cause was continued by Mr. Melvin Grigsby, of counsel for the plaintiff in error, and Mr. N. H. Cobb, of counsel for the defendant in error, and concluded by Mr. Melvin Grigsby, of counsel for the plaintiff in error.

Frederick Gardner.
72. vs. Pff. in Error.
The Michigan Central R.R. Co.

This cause was argued by Mr. Edward Bacon, of counsel for the plaintiff in error, and Mr. Ashley Pond, of counsel for the defendant in error.

Sarah R. Pugh Adm. &c.
73 vs. Appellant.
The Chicago, St. Paul, Minneapolis & Omaha R.R. Co.

On motion of Mr. J. R. Doolittle, of counsel for the appellant, Leave is granted additional counsel on each side for the argument of this cause.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Wednesday, November, 8th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that Josiah Sullivan, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

887. The United States
v. Appellant.
The Late Corporation of the
Church of Jesus Christ of
Latter Day Saints et al.

On motion of Mr
J. M. Wilson, in
behalf of counsel
for the appellee,
leave is hereby
granted the Clerk
to issue the mandate in this cause.

781. W. B. Buford et al.
vs Plffs. in Error.
John T. Taylor et al.

In Error to the Supre-
me Court of the Terri-
tory of Utah.

It appearing to the Court that a motion
by counsel for the plaintiffs in error to dis-
miss this cause has been filed. Therefore, in
pursuance of said motion, It is now here
ordered and adjudged by this Court that
the writ of error in this cause be, and the
same is hereby, dismissed with costs.
per Mr. Chief Justice Fuller

806. W. B. Buford et al.
vs. Plffs. in Error.
The United States.

In Error to the Supre-
me Court of the Ter-
ritory of Utah.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Sarah R. Angle, Admx. etc.
vs. Appellant.
The Chicago, St. Paul, Minneapolis & Omaha R.R. Co.

73. The argument of this cause was commenced by Mr. J. R. Doolittle, of counsel for the appellant, and continued by Mr. John F. Dillon, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, November 7th, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. K. Bissell it is ordered that F. G. Kierce, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. T. Pickett it is ordered

that Benjamin F. Carusbaw, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Clearfield Bituminous Coal Corporation. — In Error to the
76. vs. — Supreme Court
Pltff. in Error. — of the State of
The Commonwealth of Pennsylvania. — Pennsylvania.

This cause having been called to the attention of the Court by Mr. M. S. Clunstock, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs. per Mr. Chief Justice Waite.

The Philadelphia Company. — In Error to the
77. vs. — Supreme Court
Pltff. in Error. — of the State of
The Commonwealth of Pennsylvania. — Pennsylvania.

This cause having been called to the attention of the Court by Mr. W. C. Cuntel, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Edison Electric Light Company of Philadelphia. vs. Pff. in Error. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

692.

This cause having been called to the attention of the Court by Mr. W. C. Cuntel, of counsel for the plaintiff in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Brush Electric Light Company. ..... In Error to the Supreme Court of the State of Pennsylvania.

913. vs. Pet. in Error.

The Commonwealth of Pennsylvania. .....

This cause having been called to the attention of the Court by Mr. W.B. Rhodes, of counsel for the plaintiff in error and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Singer Manufacturing Co. The petition for a writ of certiorari here in to the United

755. vs. Pet. in Error.

A. Brill.

States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court on printed arguments by Mr. C. H. Offield and Mr. W.O. Wheaton, in

support of the same, and Mr. W. A. Maury and Mr. G. G. Scrivener, in opposition thereto.

James P. Stanwood. This cause was
31. vs. Writ of Error. submitted to the
George W. Stanwood. consideration of
the Court, pursu
ant to the 20th rule, on the record and print
ed arguments by Mr. S. H. Alderdice, of
counsel for the plaintiff in error, and Mr.
D. B. Catron and Mr. J. H. Piatt, of counsel
for the defendant in error.

Sarah R. Clyde, Admr. &c. The argument
73. vs. Appellant. of this cause
The Chicago, St. Paul, Minne- was continu
apolis & Omaha R. R. Co. ued by Mr.
Thomas Wilson,
of counsel for the appellee, and concluded
by Mr. Thomas Berry, of counsel for appellant.

Isabel B. Bustis et al. The argument of
Executrices, &c. this cause was
74 vs. Writ of Error. commenced by
Charles H. Bolles et al. Mr. Conrad Bar

of counsel for the plaintiffs in error, and continued by Mr. Edwin B Hale of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November, 10th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. B. Hensel it is ordered that A. C. Gibb, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Burton N. Harrison it is ordered that John R. Bellows, Esquire, of

New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Isabel B. Bustis et al., Executrices &c.
74. vs. Pepp. in Error.
Charles H. Bettes et al.

The argument of this cause was continued by Mr. Edwin B. Hale, of counsel for the defendants in error, and concluded by Mr. Conrad Reno, of counsel for the plaintiffs in error.

The New York, Lake Erie & Western Railroad Co.
75. vs. Pepp. in Error.
The Commonwealth of Pennsylvania

The New York, Lake Erie & Western Railroad Co.
74. vs. Pepp. in Error.
The Commonwealth of Pennsylvania.

And

These cases were argued by Mr. W. B. Olmsted, of counsel for the plaintiff in error and Mr. W. U. Hensel, of

591. The New York, Lake Erie & Western Railroad Co. vs. The Commonwealth of Pennsylvania. | Pff. in Error. | Counsel for the defendant in error.

77. Allen Root. vs. James M. Woolworth. | Appellant. | This cause was argued by Mr. Burton H. Harrison, of counsel for the appellee, and submitted on a printed argument by Mr. Upton M. Young, of counsel for the appellant.

78. William J. Connell et al. vs. John A. Smiley. | Appellants. | On motion of Mr. W. J. Bryan, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, passed.

79. Samuel Henry etc. vs. P. Van Lear, To use of Maria Louise Marling. | Pff. in Error. | The argument of this cause was commenced by Mr. H. B. Gill, of counsel for the plaintiff in error.

Samuel Henry, who was sued with Joseph Henry & Antonio Martinez, trading as Henry Brother & Company.

vs.

E. Mora Lear, to the use of Maria Louise Martinez.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

No. Pff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court and in the Circuit Court to be paid by the plaintiff in error: And that this cause be, by the same is hereby, remanded to the said Circuit Court with direction to remand it to the State Court.

per Mr. Chief Justice Fuller.

Samuel J. Ritchie.
81. vs. Pff. in Error.
James B. Mc. Mullin et al. Def.

The argument of this cause was commenced by Mr. D. M. Wilson, of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November, 13th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James G. Maguire it is ordered that Frank G. Norris and Russell J. Wilson, Esquires of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in

this behalf by Mr Hampton L. Carson it is ordered that J. Levering Jones, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

David T. Hodges et al. vs. The County of Dixon. Appeals

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Jackson.

Dissenting:

Mr. Justice Harlan.

William L. Howard & Fred. B. Lee. Executors of Philo D. Beckwith, deceased.	Appeal from the Circuit Court of the United States for
54 vs. Appellants.	the Eastern Dis-
The Detroit Stove Works.	trict of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

Mr. Justice Gray was not present at the argument and took no part in the decision.

Perkins & Bottley Co.	Appeal from the Circuit Court
52 vs. Appellant.	of the United States for the
Joseph W. Locke.	Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to dismiss the bill of complaint.

per Mr. Justice Shiras.

The Mississippi Mills and William H. Lee, Administrator of the partnership estate of Ward and Lee.

27. —— vs. —— Appellants. Simon Cohn for the appts, Mrs. Fannie Cohn for Mrs. Stearns the Steinhardt.

Appeal from the Circuit Court of the United States for the Western District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Louisiana, and was argued by

counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in accordance with law.

per Mr. Justice Brewer.

J. Catlett Gibson. In Error to the Circuit Court of the United States for the Eastern District of Virginia.
vs. Def. in Error.
William H. Peters, Receiver of The Exchange National Bank, of Norfolk, Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

757 David L. Traumond et al vs. Jeff. in Error. The Connecticut Mutual Life Insurance Company. On consideration of the motion for an order directing the plaintiff in error to cause the record herein to be printed, or to give additional security for costs, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

758 The Singer Manufacturing Company vs. Jeff. in Error. A. Brill. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

Ex parte: In the matter of C.B. Swan. ..... Petitioner. ..... On consideration of the motion for leave to file a petition for a writ of habeas corpus herein, It is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of C.B. Swan. ..... Petitioner. ..... On consideration of the petition of C.B. Swan, It is now here ordered by the Court that cause be shown by E.J. Cunningham, United States Marshal for the District of South Carolina, before this Court, at Washington, next Tuesday, why a writ of habeas corpus should not be granted as prayed in said petition.

per Mr. Chief Justice Fuller.

912 S.W. Carey et al ..... Appellants. vs. The Houston & Texas Central Railway Company et al ..... Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

[redacted]

The Attorney General addressed the Court as follows:

May it please the Court, I have requested the resolutions lately adopted by them upon the occasion of the death of Mr. Justice Blatchford. They are as follows:

"Mr. Justice Blatchford has closed a judicial career of over twenty five years. Appointed in 1867 to the bench as district judge for the southern district of New York, he brought to the discharge of his judicial duties a capacity for labor and fidelity of a

laborious research acquired during his experience for nine years at the bar in the quiet town of Auburn, together with the qualities of promptness in dispatch of business and quickness of apprehension that had been cultivated by thirteen years of active practice in the City of New York. His labors as district judge will live in the shape and form that the law of bankruptcy and of admiralty received from his judicial hand. Later, from 1872 until 1884 as circuit judge the law of patents especially owes much in its development to his learned research and faithful exposition. Appointed to the bench of the Supreme Court of the United States in 1882, he brought to the discharge of his triple duties an intellect trained and disciplined by his former labors in directions especially adapted to increase his usefulness in his new sphere. In this great tribunal he was distinguished as theretofore for his careful study of his cases, his patient and full statement of facts, and his learned and luminous exposition of the law. Always he wrought to the full measure

ure of his strength. He gave to the service of his chosen profession and of his country all that was best of himself. He concentrated all his energies upon his exacting duties. Nature pleasures nor changes of mental occupations had much charms for him. His life work was the discharge of the functions of a judge and all his powers were concentrated to this lofty end.

Resolved, That in the death of Mr. Justice Bradford, his friends have lost a kind and amiable companion, his profession a conscientious and earnest brother, the Supreme Court of the United States a faithful able and industrious member, and the people of the United States an honest judge.

Resolved, That the Attorney General be requested to lay these minutes and these resolutions before the Court, and to ask that they be spread upon the record.

Resolved, That the chairman be required to transmit a copy of them to the family of Mr. Justice Bradford."

These resolutions -- as I am sure the Court will agree -- justly estimate and express

the loss sustained, not merely by the judiciary, not merely by the profession, but by the entire community as well. It does not follow that the community is necessarily so even probably sensible of its loss. Judge Blatchford bore his high honors so meekly, fulfilled his important functions so quietly and unostentatiously, as to attract to himself but slight notice from the public he so faithfully served. Nothing indeed, was more alien to his transparently genuine nature than the mere trappings of office. That the notoriety and conspicuousness which, in these days of the interviewer and the illustrated daily press, so easily becomes the inseparable attendants of high station. Judge Blatchford was the model of a competent, well trained, laborious, conscientious, and, above all, modest public servant. It is not given to every man to be endued with true genius, to exhibit an acknowledged intellectual superiority, to be a chief among the chiefs of his chosen calling. Such men are rare and their example as often provoke despair as excite to emulation. But to every man it is given

to make the most of the faculties that he saw, to cultivate them with unflagging diligence, to make sure that they deteriorate neither from misuse or disuse, but continue in ever growing strength and efficacy until the inevitable access of years and infirmities inevitably bars all further progress. By such men above, without the aid of any transcendent powers, it is astonishing to what heights men have climbed, what conquests they have made and what laurels they have worn. Sir Nathaniel Bickford would have been the last to claim for himself those extraordinary gifts which have made some men seem and be called The giants of the law. But he had striven in study, persistent application, a determination to work the powers he possessed to their utmost capacity, and the result is now seen in an honourable judicial career on the bench of the highest court of the country and in an example full of encouragement and promise for every ambitious and struggling spirit. If it be asked what was Judge Bickford's chief characteristic as a judge it may be said to consist

in the strictly business quality of his work. By that I do not merely mean that he was specially conversant with the multifarious affairs of trade as daily transacted in the commercial centers of the world, and dealt with the questions arising out of them with peculiar intelligence and skill. No less could be expected of one who came to the bench from a successful practice in the commercial metropolis of the country. But his judicial work was business-like, in that its sole aim was the right determination of the particular case in hand. He never made his decision an occasion for philosophic disquisition. He never undertook by an opinion in one case to settle principles for other anticipated cases. He never indulged in "large discourse looking before and after," much less in any flights of rhetoric. He satisfied his idea of judicial duty that the controversy before him was settled right by the application of a rule of law broad enough to cover that case. Thus, if he was not brilliant, he was safe: if he did not make large contributions to the science of jurisprudence,

he won respect for the law and its administration by the unfailing righteousness of his walk reached no actual causes. It must add to our admiration of Judge Blatchford that he toiled assiduously, both at the bar and on the bench, not from necessity, but from choice: that the allurements of an ample fortune neither belittled his aims nor benumbed his energies, and that on his hands wealth was but the supplement and aid to an industry and zeal rarely excelled even under the spur of poverty. His orderly, prosperous and placid career, notable in itself, is even more so by contrast with that of his colleague on the bench whose death preceded his own by only a few months. Judge Blatchford rose to the highest of professional honors by an unerringly treading the beaten path of the law and by a regular graduated ascent, every step of which, from country lawyer to city lawyer, from district judge to circuit judge, and from circuit judge to judge of the Supreme Court was in natural and logical succession. Mr. Justice Lamar, on the other hand, was called to the like honor

after a career of extraordinary vicissitude in which the life of the camp and the battle-field alternated with that of the forum and the hustings: almost without precedent as a legal practitioner but with a thorough theoretical and practical knowledge of public affairs of State and with a well earned international renown as an orator, statesman and leader of men. But nothing could better illustrate the wide scope and variety of the functions of this high Tribunal than the fact that, notwithstanding their wholly diverse training and experience, each of them found here a fitting field for his own peculiar gifts and attainments, and each in his own line proved himself an accession and an ornament to the bench.

I have the honor to ask that the resolutions of the bar be spread upon the records of the Court.

The Chief Justice responded:

(To Mr. Justice Blatchford the discharge of duty was an impulse, and not a habit: and since to thorough training as

a scholar and in professional practice, a wide and varied knowledge of the law, a keen and discriminating intellect, and an indomitable patience, he added the transcendent capacity of "taking trouble," the volume and extent of the work he was enabled to accomplish during twenty-six years of judicial life should occasion no surprise.

If his death admonishes us of the swiftness of the passage of time, his example teaches, through the results of the orderly method which regulated his every action, how time may be redeemed.

Mr. Justice Bradley was at home in every branch of the jurisdiction of the Courts in which he sat. It is not easy to distinguish where all were done so well, but it may be justly said that he displayed uncommon aptitude in the administration of the maritime law and of the law of patents, his grasp upon the original principles of the one and his mastery of details in the other aiding him in largely contributing to the development of both. His experience in adjudication and in affairs bore around

and fruit during his incumbency of a seat upon this bench, and in the domain of constitutional investigations and exposition he won new laurels.

As suggested by the Attorney General, he did not attempt in his judgments to "bestow conclusions on after generations," yet when the four hundred and thirty opinions, to be precise as he would have been, in which he spoke for the Court, contained in the volumes of our reports from the latter part of the one hundred and fifth to the close of the one hundred and forty-ninth, are examined, it will be found that he dealt with large questions in many of them, with a breadth and luminousness of treatment and at the same time with a circumspection and sagacity which entitle them to high rank as judicial compositions, and will make them monuments to be seen hereafter of those concerned in looking about them for guidance in the present by wisdom of the past.

And, as rightly indicated in the thoughtful tributes paid to him to-day, the memory of this conscientious and faithful public servant

will be perpetuated, not through his decisions above, but in the profound conviction the contemplation of his career will ever produce that he kept, to use the language of another, the good picture of the useful and distinguished judge constantly before his eyes, and to a resemblance of which all his efforts, all his thoughts, all his life were devoted."

Upon the loss to us personally in parting with this beloved friend and helpful fellow laborer we do not care to dwell. We take up our burdens again, conscious of the absence of the relief his participations would have afforded, but feeling as to him the fruitfulness of the Master's: "Above all, believe it, the surest of canticles is Nunc Dimittis, when a man hath obtained worthy ends and expectations."

The minutes and resolutions of the Term and the remarks of the Attorney General will be entered on our records, and as a further mark of respect the Court will adjourn until to-morrow at the usual hour.

[redacted]

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, November 11th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Ferguson it is ordered that I. Morris Wain, Esquire of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he thereupon took accordingly.

The Interstate Commerce Commission. 183. vs. Appellant. W. G. Brimson et al.

Mr. Solicitor General Maxwell, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

Ex parte: In the matter of James Lemon. 125. Appellant.

On motion of Mr. George C. Greene, leave is hereby granted him to file a printed argument herein.

Ann Hickie, Executrix etc. et al. 2. vs. Appellants. Charles E. Pliles et al.

On motion of Mr. W. P. Harrison, of counsel for the appellees, it is ordered by the Court that this cause be restored to the call and placed at the foot of the call for Monday, November 27th.

The City of New Orleans. 281. vs. Appellant. H. W. Benjamin et al.

Mr. William A. Maury, in behalf of counsel, submitted to the con-

sideration of the Court a motion to advance this cause.

George E. Kirk. Mr. A. A. Steward, of counsel for the appellant, submitted to the consideration of the Court a
89 vs. Appellant.
The United States. motion to advance this cause.

William J. Ramey. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on a printed argument by Mr. Samuel Dickson, in support of the same.
176 vs. Appellant.
George W. Herbert et al.

J. W. Bain. On motion of Mr. J. W. Wilson, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the 27th instant.
611 vs. Pet. in Error.
The United States.

Samuel G. Ritchie
N. vs. Pff in Error
James B. Mc. Mullen et al.

The argument of this cause was continued by Mr. J. M. Wilson, of counsel for the plaintiff in error, and Mr. J. E. Williamson, of counsel for the defendants in error, and concluded by Mr Samuel Shellabarger of counsel for the plaintiff in error.

Ex parte: In the matter
of Frederick Schoch.
7 Original. Petitioner.

On motion of Mr. Charles M. Dennett of counsel for the petitioner, leave is hereby granted to amend the petition herein, per stipulation of counsel.

Ex parte: In the matter
of Frederick Schoch.
7 Original. Petitioner.

This cause was argued by Mr. Charles M. Dennett, of counsel for the petitioner and Mr. W. D. Edwards, of counsel for the respondents.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Wednesday, November 15th, 1893.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Worcester, Nashua & Rochester R.R. Co. Pet. in Error.
vs. to.
Robert L. Day et al.

On motion of Mr. Laurence Maxwell Jr. in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term, per Stipulation of counsel.

The Louisville, New Orleans & Texas Railway Company. vs. Plff. in Error. Edward M. Burnett

In Error to the 17th Judicial District Court of the State of Louisiana.

It appearing to the Court that an authority of counsel for the plaintiff in error to dismiss this cause has been filed. Therefore in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Hannah Smith. vs. Plff. in Error. The United States.

No. 1003

This cause was submitted to the consideration of the Court on the record with leave to counsel to file printed arguments within ten days.

Enoch Davis. vs. Plff. in Error. The People of the Territory of Utah.

No. [illegible]

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr.

Warren H. Quarberry, of counsel for the plaintiff in error, and Mr. Solicitor General Maxwell, of counsel for the defendants in error.

T. Sills. This cause was submitted
87 vs. Pff. in Error. to the consideration of
The United States. the Court on the record
and printed arguments
by Mr. A. H. Garland, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

John H. Kinkead et al. The argument of this
88 vs. Appellants. cause was commenced by Mr. George A. King, of counsel for the appellants continued by Mr. Assistant Attorney General Dodge, of counsel for the appellee and concluded by Mr. Joseph K. Mc. Cammon, of counsel for the appellants.

84. Michael Magin. Appellant, vs. John J. Earle and
85. Michael Magin. Appellant, vs. John A. Lehman.

The argument of these cases was commen-

ced by Mr. John R. Bennett, of counsel for the ap pellant, and continued by Mr. Josiah Sullivan of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, November, 16th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer. ... Associate
Henry B. Brown. ... Justices
George Shiras Jr. ...
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Henry W. Smith, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Alexander Allen. This cause was submitted to the consideration
764. vs. Pff. in Error. of the Court on the record
The United States.

and printed arguments by Mr. A. H. Garland, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

John Hicks.
171. vs. Pff. in Error.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

W. C. Insley.
91. vs. Appellant.
The Richmond Electric Power Company et al.

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the Transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and

the same is severally dismissed with costs.

per Mr. Chief Justice Fuller.

84. Michael Magin, Appellant, vs. John J. Earle.
85. Michael Magin, Appellant, vs. John A. Lehman.

The argument of these cases was concluded by Mr. Josiah Sullivan, of counsel for the appellee.

Benjamin Rich et al. Appellants
86. vs.
Taulin Bratton et al.

The argument of this cause was commenced by Mr. John C. Keator, of counsel for the appellants, and continued by Mr. J. H. Ferguson, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday. November, 17th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

781. The City of New Orleans vs. Appellant. H. W. Benjamin et al. Mr. William A. Maury, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

113. Herman R. Hardenbergh vs. Pff. in Error. Thomas L. Ray et al. Mr. Henry W. Smith, of counsel, suggested the death

of Herman R. Hardenbergh and moved the Court to make Ella V. Hardenbergh, Thomas J. Hardenbergh and Belle H. Shoemaker, children and heirs at law of the said Herman R. Hardenbergh, the parties plaintiffs in error in this cause. Whereupon, it is now here ordered by the Court that the said Ella V. Hardenbergh, Thomas J. Hardenbergh and Belle H. Shoemaker, children and heirs at law of Herman R. Hardenbergh, deceased, be, and they are hereby, made the parties plaintiffs in error in this cause.

Ella V. Hardenbergh et al. vs. Thomas L. Ray et al. — Pffs. in Error.

113

On motion of Mr. Henry W. Smith, of counsel for the pfaintiffs in error, it is ordered by the Court that this cause be passed on account of sickness of counsel.

W. B. Hurley. vs. William B. Shoemaker et al. — Appellant

Appeal from the Circuit Court of the United States for the District of Louisiana.

72

This cause having been called for hearing

in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Benjamin Rice et al.
86. vs. Appellants.
Paulin Bratton et al.

The argument of this cause was continued by Mr. J. A. Ferguson, of counsel for the appellees and concluded by Mr. John A. Hutchinson of counsel for the appellants.

John Knight.
172 vs. Appeal from Error.
The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error. No counsel appeared for the plaintiff in error.

William M. Harrison et al. vs. The Parlow Oil Mills. Pffs. in Error. Ordered by the Court that this cause be, and the same is hereby, passed for settlement.

U.S. Heller, U.S. Marshal, et al. vs. Benjamin Browne. Appellants. Appeal from the Circuit Court of the United States for the Western District of Arkansas.

This cause having been called in its regular order, and Mr. Solicitor General Maxwell, of counsel for the appellants, having moved the Court to dismiss this cause, it is, therefore, in pursuance of said motion, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John Bonner. Petitioner. On motion of Mr. Solicitor General Maxwell leave is hereby granted

To file the return to the rule to show cause issued herein.

In parte: In the matter of James Lennon. Appellant.

This cause was argued by Mr. J. M. Barker and Mr. Grant H. Hurd, of counsel for the appellant.

135.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November, 20th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Solicitor General Maxwell it is ordered that Carlton B. Pierce, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that George C. Graves, Esquire of Newton,

State of Massachusetts, Wallace Macfarlane, Esquire, of New York City, and Charles L. Hamlin, Esquire, of Brookline, State of Massachusetts, to be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Davidge it is ordered that C. H. Ahern Esquire of New Castle, State of Pennsylvania and John F. Guy, Esquire, of Seattle, State of Washington, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Russ H. Graves it is ordered that H. Taylor Phillips, Esquire, of New York City, be admitted to practice as attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic D. McKenney it is ordered that Richard B. Davis, Esquire,

of Petersburg, and B. P. Burnett Esquire, of Lawrenceville, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Wilbur F. George, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Herman Sturm.		Appeal from the Circuit Court of the United States for the District of Indiana.
14.	vs. Appellant.	
Ferdinand A. Baker, Herman Gunke, & Frederick Schunnacher.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this

Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded with in conformity with the opinion of this Court.

per Mr. Justice Jackson.

William H. Knapp &
Charles L. Knapp.
vs. Appellants.
Charles A. Mores.

Appeal from the Circuit Court of the United States for the District of Connecticut.

56.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Jackson.

Dissenting:
Mr. Justice Brown &
Mr. Justice Shiras.
(The Chief Justice did not sit in this case & took no part in its decision).

Samuel H. Ufford & Charles O. Ufford, copartners as Samuel H. Ufford and Son. — Appeal from the Circuit Court of the United States for the District of Massachusetts.

315. v. Appellants.

Charles A. Morse.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Jackson.

Dissenting: Mr. Justice Brown & Mr. Justice Shiras.

(The Chief Justice did not sit in this case and took no part in its decision).

Laura B. Curtis & Florence D. Curtis, Executrices of William D. Curtis, deceased.

74. vs. Plffs in Error

Charles A. Bolles & George G. Wilde.

In Error to the Supreme Judicial Court of the Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Shiras.

The United States Trust Company of New York.

51. vs. Appellant.

The Wabash Western Railway Co.

Appeals from the Circuit Court of the United States

57. The Wabash Western Railway Co. vs. The United States Trust Company of New York. Appellants. for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed, each appellant to pay the costs on its appeal.

per Mr. Justice Brown.

26. Charles Moore, N.C. Halstead, & William H. Todd, purchasing committee. vs. The Wabash Western Railway Company. Appellants. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the tran-

cript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

J. Leslie Thompson vs Appellant
of The First National Bank, of
Sioux Falls, Dakota, & The First
National Bank of Sioux Falls,
Dakota.

53 vs. Appellees in Error.
The Sioux Falls National Bank of
Sioux Falls, Dakota.

In Error to the Supreme Court of the Territory of Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause

be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota, with instructions to remand the cause to the proper court of Moody County, and to direct the verdict and judgment to be set aside and a new trial granted.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Brewer.

R. S. Hollins, Sr., R. S. Hollins, Jr., John Dickinson & John O. Hollins, copartners, under the firm name of Hollins Sons and Company, et al. — Appeal from the Circuit Court of the United States for the Middle District of Alabama.

vs. — Appellants.

The Briarfield Coal & Iron Company, W. L. Chambers, Trustee, Thomas J. Peter et al. — Appellees.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by

counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, modified so as to direct the dismissal of the bill for the want of jurisdiction. The appellants to pay all the costs in the cause. per Mr. Justice Brewer.

Dissenting:
Mr. Justice Brown
Mr. Justice Jackson

Bridana Elliott, widow of John Elliott, deceased. vs. The Chicago, Milwaukee & St. Paul Railway Company. In Error to the Supreme Court of the Territory of Dakota.

No. 71.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the

same is hereby affirmed with costs; And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota.

per Mr. Justice Brewer.

The United States. vs. Plaintiff. Robert S. Rodgers. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Michigan.

30.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the Courts of the United States have jurisdiction under Section 5346 of the Revised Statutes to try

a person for an assault with a dangerous weapon, committed on a vessel belonging to a citizen of the United States, when such vessel is in the Detroit River, out of the jurisdiction of any particular State, and within the Territorial limits of the Dominion of Canada.

Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court

per Mr. Justice Field.

Dissenting:
Mr. Justice Gray &
Mr. Justice Brown.

The Inter State Commerce Commission. . . .
vs. Appellant.
W. L. Brimson et al.

On consideration of the motion to advance this case, It is now here ordered by the Court.

813.

that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of January next, after the cases heretofore assigned for that day. per Mr. Chief Justice Fuller.

George E. Kirk.
941 vs. Appellant.
The United States.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is given to counsel for the appellant to file a printed brief in the case of Schillinger et al. vs. The United States, No. 13, on the docket for the present term if he shall be so advised.

per Mr. Chief Justice Fuller.

William J. Ramsey.
976 vs. Appellant.
George W. Herbert et al.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had in support of the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The City of New Orleans. On consideration
78. vs. Appellant of the motion to
A. W. Benjamin et al. advance the cause.
It is now here or-
dered by the Court that said motion be,
and the same is hereby, granted. the cause
to be submitted on printed briefs at any
time during the term prior to the first
Monday of April next.

per Mr. Chief Justice Sutler.

78. The New York Lake Erie & Western R.R. Co. Plff. in Error.
vs. The Commonwealth of Pennsylvania.
79. ..... Same vs same.
59. ..... Same vs same.

It is ordered by the Court that these
cases be, and they are hereby, restored to
the docket for re-argument, as one case, be-
fore a full bench.

per Mr. Chief Justice Taney.

David J. Mc. David, William
N. Merriweather & John H. Shack-
lee. Plffs. in Error. In Error to the
Supreme Court
785 vs. of the Territo-
ry of Okla-
The Territory of Oklahoma on the homa.
relation of Winfield S. Smith
and Stephen H. Bradley.

This cause came on to be heard on the tran-
cript of the record from the Supreme Court of
the Territory of Oklahoma, and was argued
by counsel. On consideration whereof, It
is now here ordered and adjudged by this
Court that the judgment of the said Su-
preme Court in this cause be, and the same
is hereby, reversed with costs; And that this
cause be, and the same is hereby, remand-
ed to the said Supreme Court with a di-
rection to reverse the judgment of the Dis
trict Court, and to remand the case to
that Court with directions to dismiss the
petition.

per Mr. Chief Justice Fuller.

The Southern Pacific Co.
267. vs. Pffs. in Error.
Bertha Tomlinson.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. J. H. Shepard, in support of the same and Mr. J. Ruby Clark and Mr. Charles A. Garrett, in opposition thereto.

R. L. Powell et al.
298. vs. Pffs. in Error.
The Board of Supervisors of Brunswick County et al.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Richard E. Burks and Mr. Richard Wake, in support of the same, and Mr. E. C. Buford, in opposition thereto.

The Wabash & Ohio Railroad Company et al.
304. vs. Pffs. in Error.
The State of Tennessee et al.

On motion of Mr. S. A. Champion, of counsel for the defendants in error,

It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on January 22d, 1894, at the foot of the call.

Russell Hunkley et al.
750 vs. Pltf. in Error.
The Commonwealth of Massachusetts.
&
Benjamin D. Hunkley.
751 vs. Pltf. in Error.
The Commonwealth of Massachusetts.

Mr. George C. Brown, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance these cases

The Minneapolis & St. Louis Railway Company.
104 vs. Pltf in Error.
R. G. Parshall.

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 12th rule

of this Court, now here entered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of C. B. Swan.
10. Original. Petitioner.

This cause was argued by Mr. A. A. Townsend, of counsel for the petitioner, & Mr. Joseph H. Barnwell, of counsel for respondent.

Washington M. Jacobs.
87. vs. Appellant.
J. M. Thomas et al.

This cause was submitted to the consideration of the Court on the second and printed argument by Mr. William A. Purnell of counsel for the appellant. No counsel appeared for the appellees.

Covington & Bishop.
70 vs. Appellant.
The United States

The argument of this cause was commenced by Mr. George D. Gray, of counsel for the appellant.

Proclamation being made, the Court

Pursuant to adjournment the Court
met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Charles F. Murphy.
vs. Writ in Error.
Elisha A. Packer.

Ordered by the Court
that this cause be,
and the same is
hereby, passed.

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Ex parte; In the matter
of James Lenoir.
Appellant.

On motion of Mr. Walter S. Smith, of counsel
for the appellant, leave
is hereby granted
him to file a supplemental brief herein.

925.

Covington v. Bishop. The argument of this
70. ... vs. ... Appellant. cause was continued
The United States. by Mr. George A. King,
of counsel for the appellant, and Mr. Assistant Attorney General Hodges, of counsel for the appellee, and concluded by Mr. George A. King, of counsel for the appellant.

Mrs. Martha Insley et al. This cause was ar-
921. ... vs. ... Appellants. gued by Mr. Solicitor
The United States. General Maxwell,
of counsel for the appellee, and submitted on printed argument by Mr. J. O. McCarty, of counsel for the appellants.

A. G. Seeberger, Collector &c. These cases were
73. ... vs. ... Pff. in Error. argued by Mr.
Francis A. Hardy. Assistant Attorney General Whitney, of counsel for the plaintiffs in error, and Mr. W.

and

Jesse Spalding, Collector &c.
276. ... vs. ... Pff. in Error.
Otto Young et al.

Wickham Smith, of counsel for the defendants in error.

97 James H. Latta. Appellant. v. Mallet Prevost et al. &c.

The argument of this cause was commenced by Mr. Walter D. Davidge, of counsel for the appellant, and continued by Mr. Enoch Totten, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November, 22d, 1893

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

Horace Gray.

David J. Brewer. Associate

Henry B. Brown Justices.

George Shiras Jr.

Howell E. Jackson.

John W. Wright, Esquire, Marshal.

James H. Tate, Attorney General.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Hagerman it is ordered that Hugh C. Ward, Esquire of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered that Nathaniel C. Sears, Esquire, of Chic-

State of Illinois, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sabastian Carlisle it is ordered that George Poole, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. 10. The Washington & Idaho Railroad Company, Appellant. vs. The Corus d'Alene Railway & Navigation Co. et al.

On motion of Mr. J. M. Wilson of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

No. 15. William M. Harrison & John D. Daniels, doing business as The South Side Refining Company, Plff in Error. vs. The Farmers Oil Mills

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

James M. Latta. The argument of this
17 vs. Appellant. cause was continued
Hallett Kilbourn et al. by Mr. Enoch Totten and Mr. William G. Mattingly, of counsel for the appellee, and concluded by Mr. Walter D. Davidge for the appellant.

Joseph Lee et al. This cause was ar-
18 vs. Pffs. in Error. gued by Mr. Hector
The United States. T. Fenton, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

100. The Connecticut Mutual Life Insurance Co. vs. Pfff in Error. C. H. Akens, Executor etc.

The argument of this cause was commenced by Mr. George W. Guthrie, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Thursday, November 28th, 1895.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Waller R. Staples, Chief Justice
Stapleton G. Field.
Horace Gray,
David J. Brewer. Associate
Henry B. Brown. Justices.
Hoxton Harris, Jr.
Howell E. Jackson.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Levi Lowrie it is ordered that Harry A. McGahen, Esquire, of Hollidaysburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Theodore Lowndes, Plff. in Error.
vs.
The Board of Trustees, etc.,

Ordered by the Court that this cause be, and the same is

117.

hereby passed, subject to the provisions of section 9, Rule 26.

The St. Louis, Iron Mountain and Southern Railway Co. vs. The Marine Insurance Company of London. — In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

113. Pey. in Error.

It appearing to the Court that a confession of error by counsel for the defendant in error and a stipulation of counsel to reverse the judgment of the Circuit Court herein have been filed. Therefore, in pursuance of said confession and stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with law.

per Mr. Chief Justice Waite.

The Connecticut Mutual Life Insurance Co.
110. ——— vs. ——— Plff. in Error
C. H. Akens Executor etc.

The argument of this cause was continued by Mr. George W. Sutherland, of counsel for the plaintiff in error. The Court declined to hear further argument.

The Washington & Idaho Railroad Co.
112. ——— vs. ——— Appellant.
S. V. Wm. Osborn.

The argument of this cause was commenced by Mr. J. M. Wilson, of counsel for the appellant. Whereupon it is now here ordered by the Court that the further argument be postponed and the cause continued until the next Term.

John Caduralde, Collector etc.
136. ——— vs. ——— Plff. in Error
John E. G. Zelo et al.

This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. G. P. Pinchard, of counsel for the defendants in error.

108. Mary Jane Mc. Elmer, Admx. &c. vs. The United States. Appellants. This cause was argued by Mr. T. A. Lambert, of counsel for the appellants, and Mr. Assistant Attorney General Conrad, of counsel for the appellee.

109. James Coleman et al. vs. The United States. Appellants. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edwin B. Smith and Mr. F. H. Mc. Henson, of counsel for the appellants, and Mr. Assistant Attorney General Hodges, of counsel for the appellee.

110. Seth E. Ward. vs. Elmer G. Coleman. Pltff in Err. The argument of this cause was commenced by Mr. Hugh C. Ward, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 23d, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Henry B. Morrow, Trustee, &c. vs. W. W. Redman, Sheriff &c. of Davidson County, Tennessee. Appellants.
No. 1140.
The Cumberland Telephone & Telegraph Company. Appellee.

Appeal from the Circuit Court of the United States for the Middle District of Tennessee.

It appearing to the Court that a stipulation of counsel for the respective parties

to affirm the decree of the Circuit Court herein has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with the costs.

per Mr. Chief Justice Fuller.

The National Trust Company of New York et al. vs. J. J. Huff. — Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

120

This cause coming here and called for hearing as its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

George D. Harlow. Ordered by the Court
22. vs. Pff. in Error. that this cause be, and
Archibald Borland. the same is hereby, pass
ed for settlement.

Lelia E. Ward. The argument of this cause
10. vs. Pff. in Error. was continued by Mr.
Elmer G. Cochran. Hugh A. Wood, Esq. con
cluded by Mr. James Has
kins, of counsel for the plaintiff in error, and
was submitted on printed argument by
Mr. J. M. Bowers and Mr. W. J. Counts, of Coun
sel for the defendant in error.

The Washburn & Moen Manu- Ordered by the
facturing Company. Court that this
111. vs. Appellant. cause be, and
The Freeman Wire Company. the same is here
by, continued
until the next term.

The Johnson Company. This cause was ar-
104. vs. Pff. in Error. gued by Mr. Wayne
William Wharton Jr. and Hitt, Esq., of
Company Limited, etc. counsel for the

plaintiff in error, and Mr. Edward C. Bridward, of counsel for the defendant in error.

The Columbia Mill Co. vs. W. W. Vicars & Company. 113. Appellant. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. P. H. Winckel, of counsel for the appellant. No brief filed for appellee.

Everett Saltonstall, Collector &c. vs. Joseph Birtwell. 116. Plff. in Error. This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. William D. Mowry and Mr. J. C. Tucker, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November, 27th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hampton L. Carson it is ordered that James H. Shakespeare, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court on

this behalf by Mr. J. W. Wilson it is ordered that A. A. Stebbins, Jr. Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Alexander Britton, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. B. Story it is ordered that William G. Shelton, Esquire, of Akron, State of Colorado be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Michael Wagaw. Appeal from the Circuit Court
514 vs Appellant. of the United States for the
John J. Hicks Northern District of New York.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

Michael Magin. Appeal from the Circuit Court
vs. to. Appellant. of the United States for the
John K. Lehman. Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson

Allen Root.
vs. Appellant.
James M. Woolworth.

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby affirmed with costs.

per Mr. Justice Jackson.

John Hicks.
vs. Pff. in Error
The United States.

In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Cir-

cuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

per Mr. Justice Shiras.

Russell Huntley et al.
750. ——— vs. ——— Pffs. in Error.
The Commonwealth of Massachusetts.

Benjamin A. Plumley.
751. ——— vs. ——— Pff. in Error.
The Commonwealth of Massachusetts.

On consideration of the motion to advance this cases, it is now here ordered by the Court that said motions be, and the same is hereby, granted, and the cases assigned for argument on the first Monday of March next.

per Mr. Chief Justice Fuller.

The Southern Pacific Co.
767. ——— vs. ——— Pff. in Error.
Bertha Donluisse.

On consideration of the motions to dismiss or affirm in this cause, and

of the argument of counsel thereupon had, as well in support of, as against the same. It is now here ordered by the Court that said motions be, and the same are hereby denied.

per Mr. Chief Justice Fuller.

87. Washington M. Jacobs. Appellant. vs. J. M. George, J. J. Hertz, and J. S. Morgan. Appeal from the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal in the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

72. Frederick Gardner. In Error to the Circuit Court of the United States for the Western District of Michigan. vs. Pltf. in Error. The Michigan Central Railroad Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Waite.

(Mr. Justice Field did not hear the argument and took no part in the consideration or decision of this case).

725 Ex parte: In the matter of James Lennon. Appellant. Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It

is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

John Boyd.
124 vs. Appellant
Wm L. Stedman et ux. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause having been called to the attention of the Court by Mr. Hubert Newton, of counsel for the appellees, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Central Trust Co. of New York.
408 vs. Appellant.
William Mc. George Jr. et al. On motion of Mr. H. L. Bond, in behalf of counsel, It is ordered by the

Court that this cause be, and the same is hereby, advanced pursuant to Rule 32.

765. The Central Trust Co., of New York. vs. Appellant. William McGeorge Jr. et al. This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. O. H. Johns, of counsel for the appellant.

332. S. O. Wilson, Treasurer &c. vs. Pff. in Error. The Staley Live Stock Co. The motion to dismiss the plaintiff in error's writ of error and amended appeal bond in this cause was submitted to the consideration of the Court by Mr. Carroll McKenney on behalf of Mr. E. T. Hughes, in support of the same, and Mr. H. B. Johnson, and Mr. O. B. Parks, in opposition thereto.

1068. The Cross Company, Limited. vs. Pff. in Error. The City Bank of Hartford. The petition for a writ of certiorari herein to

the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court on printed arguments by Mr. Hampton L. Carson, Mr. James H. Shakespeare in support of the same and Mr. John Hampton Barnes and Mr. Hoge Tucker Bispham in opposition thereto.

Fred H. Levy,
171. v. Appellant.
James G. Reynes.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. O. H. Garland and Mr. H. G. Ray, of counsel for the appellant, and Mr. William O. Mc. Henry, of counsel for the appellee.

J. M. Bain.
611. v. Pff. in Error.
The United States.

In Error to the District Court of the United States for the Southern District of Ohio.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record.

It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

611. J. M. Bain. vs. Plff. in Error. The United States. On motion of Mr. Solicitor General Maxwell, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this cause.

125. The Consolidated Patents Company et al. vs. Appellants. A. Hun Berry. Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal

be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

126. C. S. Starkey, Plff. in Error, vs. Nelson Burnham.
127. C. S. Starkey, Plff. in Error, vs Charles Burkhart.

The motions to continue these cases until the next term were submitted to the consideration of the Court by Mr. B. W. Perkins in support of the same, and Mr. A. C. Britton and Mr. A. B. Browne, in opposition thereto.

The American Cube & Iron Co. Plff. in Error.
146. vs.
Owen Evans, guardian of William Lewis.

Mr. J. M. Wilson, in behalf of counsel suggested the death of Owen Evans, and the appointment of John R. Davis as his successor as guardian of William Lewis, and moved the Court to make said John R. Davis, guardian of William Lewis, the party defendant in error herein. Whereupon, It is now here ordered by the Court that the said John R. Davis guardian of William

Lewis, &c, and he is hereby made the party defendant in error in this cause.

119. The Southern Pacific Co. vs. Jeff. in Error. Isabella Seley, Admx. &c. This cause was argued by Mr. Maxwell Evarts, of counsel for the plaintiff in error, and Mr. U.M. Rosekrans Jr. and Mr. J. M. Wilson of counsel for the defendant in error.

X. Original. By parties: In the matter of John Bowers. Petitioner. The argument of this cause was commenced by Mr. J.C. Clooney of counsel for the petitioners, and continued by Mr. Solicitor General Maxwell of counsel for the respondent.

Proclamation being made the Court is adjourned until to-morrow at Twelve O'clock

Tuesday, November, 28th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. ..... Associate
David J. Brewer. ..... Justices.
Henry B. Brown. .....
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Hollis C. Johnston, Esquire, of Gallipolis, and William H. Pope, Esquire, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. F. O. Baker it is ordered that William L. Carpenter, Esquire, of Detroit, Samuel W. Smith, Esquire, of Pontiac, and Charles F. Collier, Esquire, of Holly, State of Michigan be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

505. The City of Lincoln. vs. Pet. in Error. Margaret J. Power. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. L. C. Burr, of counsel for the plaintiff in error, and Mr. F. W. Marquett, of counsel for the defendant in error.

131. The Syracuse Water Company. vs. Pet. in Error. The City of Syracuse and The Central City Water Works, and The City of Syracuse. In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and the plaintiff

error having been three times solemnly called by the Marshal to come into Court and prosecute its writ of error, and failing to appear, It is, Thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. Carroll McKenney, of counsel for the defendants in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Madison C. Shipman. Appeal from the Circuit Court
152. vs. Appellant. of the United States for the
Abner Beebe et al. Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and

the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Albrecht Kienle et ab. vs. Mary V. Delp. — In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

53. Defts. in Error.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the Transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of John Bonner. — Petitioner.

8. Original.

The argument of this cause was continued by Mr. Solicitor General Aldrich of counsel for the respondent, & concluded by Mr. J. C. Carey, of counsel for the petitioner.

P. Pearl Mullett, Admr. etc. This cause was
121. vs. Appellant. argued by Mr.
The United States. George T. Bout-
well, of counsel
for the appellant, and Mr. Assistant Attorney
General Dodge, of counsel for the appellee.

Henry W. Bates et al. The argument of this
123. vs. Pffs. in Error. cause was commen-
Sarah A. Preble. ced by Mr. Samuel
Hoar, of counsel for
the plaintiffs in error.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Wednesday, November 24th, 1875.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. John L. Ruffin it is ordered that W. B. Davison, Esquire, of Muskogee, Indian Territory, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States. On motion of Mr.
136. vs. Pff in Error. Solicitor General
The Northern Pacific R.R. Co. et al. Motion of com

sel for the plaintiff in error. It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9 of Rule 26.

186. The Texas & Pacific Railway Co. Plff. in Error, vs. E. M. Griffin et al.
187. The Texas & Pacific Railway Co. Plff. in Error, vs. S. S. Overton et al.
188. The Texas & Pacific Railway Co. Plff. in Error, vs. T. R. Johnson et al.

On motion of Mr. R. K. Duncan, in behalf of counsel. It is ordered by the Court that these cases be, and they are hereby, passed on account of sickness of counsel.

189. The Falls Rivet Co. et al. Appellants, vs. William B. Wolfe et al. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the

same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William Deering. Appeal from the Circuit Court
42. vs. Appellant. of the United States for the East-
C. W. B. Wilson et al. ern District of Tennessee.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Henry M. Bates et al. The argument of this
123. vs. Pltfs. in Error. cause was continued
Sarah A. Preble. by Mr. Samuel Hoar,
of counsel for the plaintiffs in error, and Mr. L. C. Southward for Mr. C. M. Morse, of counsel for the defendant in error, was concluded by Mr. Samuel Hoar, of counsel for the plaintiffs in error.

Ann Nichols, Executrix etc, et al.
12. ..... vs. ..... Appellants.
Charles E. Giles et al.

This cause was submitted to the consideration of the Court on the record, and a printed argument by Wm. W. H. Barnes, of counsel for the appellees, with leave to counsel for the appellants to file a printed argument, and counsel for the appellees to file a reply thereto.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr. Edward C. Whitney it is ordered that Horace A. Foster, Esquire, of Sanford, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Columbus Hill Company. — Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

115. vs Appellants.

William W. Akers & Samuel Akers, trading as W. W. Akers and Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

Anthony F. Seiberger, Collector for the Port and District of Chicago. — In Error to the Circuit Court of the United States for the Northern District of Illinois.

93. vs Defs. in Error.

Francis O. Hardy.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Brown.

Jesse Spalding, Collector, of Customs for the Port & District of Chicago.
vs.
276. Plff. in Error.
Otto Young & Julius Schwabing, Copartners as Otto Young & Co.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Barbour.

Mrs. Martha Gaslay et al. Appellants. vs. The United States. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit.

141.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Kansas.

per Mr. Justice Barbour.

John H. Kinkead and
Samuel Sussman.
89. vs. Appellants.
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Shiras
Mr. Justice Field.
(Mr. Justice Harlan was not present at the argument & took no part in the decision of this case).

Joseph Dewes & John S. Lees.
76. vs. Pltffs. in Error
The United States.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of

the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the cause to the District Court and order a new trial.

per Mr. Justice Brewer.

Mr. Justice Harlan did not hear the argument nor take any part in the decision of this case.

100

The Connecticut Mutual Life Insurance Company of Hartford, Connecticut. vs. C. H. Akins, Executor of C. C. Smith, deceased. } In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Gray.

(Mr. Justice Harlan and Mr. Justice Hunt did not sit in this case, or take any part in its decision).

126. C. L. Starkey, Pltf. in Error, vs. Nelson Burnham.
127. C. L. Starkey, Pltf. in Error vs. Charles Englehart.

On consideration of the motion to continue these cases until the next term, It is now here ordered by the Court that said cases be passed, and placed at the foot of the calls on the first Monday of March next, to be dismissed if not then in a condition to be heard

per Mr. Chief Justice Waite.

J. D. Wilson, Treasurer etc. vs. The Holly Sugar Stock Company. Plff. in Error.

No. 922.

On consideration of the motion to require the plaintiff in error to file a new and amended appeal bond herein and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Cross Company, Limited. vs. The City Bank of Hartford. Plff. in Error.

No. 1018.

On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Lowell Sallonstall, Collector of Customs for the District of Boston & Charlestown.

116 ... vs. ... Plff. in Error.

Joseph Bertwell.

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Chief Justice Fuller.

Mary Jane McAllen, Administratrix of Philip McAllen deceased,

108. ... vs. ... Appellant.

The United States.

Appeal from the Court of Claims

This cause came on to be heard on the

Transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

R. S. Powell, W. H. Barrow, Thomas Branch et al. vs. The Supervisors of Brunswick County, technically called "The Board of Supervisors" of the Atlantic and Danville Railway Company. Pltfs. in Error. In Error to the Supreme Court of Appeals of the State of Virginia.

894

This cause came on to be heard on the Transcript of the record from the Supreme Court of Appeals of the State of Virginia, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed

for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Alexander Allen. In Error to the Circuit Court
168 vs. Pltf. in Error. of the United States for the West-
The United States. ern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Brewer

Mr. Justice Brown

The Steam Tug E. A. Packer &c. John Scully, Claimant.
1072. vs. Appellant.
The New Jersey Lighterage Co.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals, for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. E. D. McCarthy, in support of the same, and Mr. E. C. Benedict in opposition thereto.

Edward H. Lewis.
308. vs. Pff. in Error.
George B. Wilson et al.

Mr. James E. Padgett, in behalf of counsel, for the plaintiff in error, submitted to the consideration of the Court a motion for leave to withdraw the transcript of record, in this cause for the purpose of correcting the Clerk's certificate to the same.

William A. Lukin.
1064 vs. Pff. in Error.
John H. Roberts et al.

The petition for a writ of error or a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit

was submitted to the consideration of the Court on a printed argument by Mr. William A. McKenney, in support of the same

William A. Bole. In Error to the District Court
1005 vs. Def. in Error. of the United States for the
The United States. Northern District of Texas.

This cause having been called for hearing in its regular order, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error, having suggested to the Court that this cause has abated owing to the death of the defendant in error, Therefore, in pursuance of such suggestion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Marshal Tucker. This cause was sub-
970 vs. Def. in Error. mitted to the consid-
The United States eration of the Court on the record and printed arguments by Mr. A. H. Garland, of

counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

Rudolph Zimmerman. Pff. in Error. In Error to the Circuit Court
vs. of the United States for the
E. A. Cluer. Western District of Penn.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The American Pulp and Iron Company. In Error to the Circuit Court of the
vs. Pff. in Error. United States for
John R. Lewis, guardian of the Northern District
William Lewis, a minor. of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and the plaintiff in error having been three times solemnly by the Marshal to come into Court and prosecute his writ of error, and failing to appear, It is therefore, in pursuance of the 16th rule of this Court, and on the motion of Mr. A. J. Wolf, of counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

John Halstead. vs. A. J. Grinnan et al.

128. Appellant.

The argument of this cause was commenced by Mr. O. Burlin, of counsel for the appellant, & continued by Mr. W. McClain & Mr. J. F. Brown, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray, Associate
David J. Brewer. justices.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Christy it is ordered that H. A. Coulmin, Esquire, of Springfield, State of Ohio, be admitted to practice as an Attorney & counsellor of this Court, and he was sworn accordingly.

1149 J. Dunlap & Sons. vs. Schofield, Wasson & Co. Appellants.

This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. J. C. Bailey, of counsel for the appellants, & Mr. A. V. Benton, of counsel for the appellee.

157. The American Rapid Telegraph Company. vs. The Boston Safe Deposit & Trust Company. Appellants. Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged & decreed by this Court, that this appeal be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

128. John Halstead. vs. A. G. Gruman et al. Appellant. The argument of this cause was concluded by Mr. O. Burton, of counsel for the appellant.

Sarah Howe.
124. vs. Appellants.
The Detroit Dry Dock Co., et al.

This cause was argued by Mr. F. A. Baker, of counsel for the appellant, & Mr. C. E. Warners of counsel for the appellee.

The Village of Holly.
130. vs. Err. in Error.
George G. Hunter.

This cause was argued by Mr. F. A. Baker, of counsel for the plaintiff in error, and Mr. W. L. Carpenter, of counsel for the defendant in error.

W. L. Miller et al.
113. vs. Appellants.
The Eagle Manufacturing Company.

On motion of Mr. A. Goodwin, of counsel for the appellants, it is ordered by the Court that this cause be, and the same is hereby, passed.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December, 6th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melvin O. Butler Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ephraim Ramsay it is ordered that William M. Griffin, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Holmes Conrad it is ordered

that Harrison Musgrave, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Jennings it is ordered that Augustus B. Stoughton, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

146. The American Tube & Iron Co. Plff. in Error. vs. John R. Davis, Guardian etc. Def't. in error. On motion of Mr. A. J. Woolf, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the mandate in this case.

147. William Talbert, Appellant, vs. The United States.
148. The United States, Appellant, vs. William Talbert.

Mr. I. I. Hinkle, of counsel, suggested the death of William Talbert, and on his motion, It is ordered by the Court that these cases

be, and they are hereby, passed.

Andrew L. Britton. Appeal from the Circuit Court
154 vs. Appellants. of the United States for the South-
Isaac B. Kleinert. ern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the Transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by the Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

George W. Bryan et al. Trustees etc. This cause
134 vs. Appeal in Error was argued
The Board of Education of the by Mr. R. L.
Kentucky Annual Conference of Thurston,
the M. E. Church South, et al. for the pl'ffs in
error, and Mr. J. W.
Wilson, of
counsel for the defendants in error, and sub-
mitted on a printed argument by Mr. Thomas
F. Hargis, of counsel for the plaintiffs in error.

Joseph Inglehart et al. Appellants.
vs.
The Washington Loan & Trust Co. Executors of Ely Way Stansbury, deceased.

The argument of this cause was commenced by Mr. J. J. Hinkle, of counsel for the appellants, and continued by Mr. J. J. Darlington, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday. December, 7th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

153. The Chicago, St. Paul and Kansas City Railway Co. vs. Plff. in Error. Nellie E. Pierce.

On motion of Mr. J. C. Black in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, passed.

144. Joseph Engelbach et al vs. Appellants. The Washington Loan & Trust Co. etc.

The argument of this cause was concluded

ed by Mr. T. S. Hinkle, of counsel for the appellants.

150. John P. Wollensak. vs. Sargent & Company. Appellants. This cause was argued by Mr. Ephraim Banning, of counsel for the appellant, & Mr. John N. Beach, of counsel for the appellee.

152. Howard M. Giles et ab. vs. John L. Heyenger et ab. Appellants. This cause was argued by Mr. J. J. Jennings, of counsel for the appellants, & Mr. A. B. Stoughton, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Monday, December, 8th, 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. George Wadsworth it is ordered that Charles M. Spooner, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah Patterson it is

ordered that J. H. Bass and W. G. Mc. Adoo, Jr., Esquires, of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

The Chicago, St. Paul and Kansas City Railway Co.		In Error to the Circuit Court of the United
153.	v.	States for the Northern
Nellie E. Pierce.	In Error.	District of Illinois.

This cause having been called to the attention of the Court by Mr. John B. Black, of counsel for the defendant in error, and it appearing to the Court that a stipulation of counsel for the respective parties to reverse the judgment of the Circuit Court herein has been filed. Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this case be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with law.

	The Chicago, St. Paul and Kansas City Railway Co.	Ordered by the Court that the Clerk have leave to issue the
153.	vs. Pff. in Error.	mandate in this case.
	Nellie E. Pierce	

	William C. Ide	The argument of this
155.	vs. Appellant.	cause was commenced
	The United States.	by Mr. George Wat-

worth, of counsel for the appellant. The Court declined to hear further argument.

	The Keystone Manufacturing Company.	The argument of this cause was com-
156.	vs. Appellant.	menced by Mr. J.
	Henry A. Adams.	G. Wanaker, of

counsel for the appellant, and continued by Mr. J. M. Shoemaker, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December, 11th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David Turpie it is ordered that O. J. Hubbell and Orin W. Conley, Esquires, of Elkhart, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James T. Maguire it is order-

et that J. C. Nanlson, Esquire of Bakersfield, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Black it is ordered that John W. Blue Esquire of Sandwich, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

77. James M. Latta. vs. Kallet Kilbourn and John G. Olmstead. Appellant. Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with cost

and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to dismiss the bill at the cost of the appellees.

per Mr. Justice Jackson.

Mr. Justice Harlan did not hear the argument and took no part in the consideration or decision of this case).

Jesse P. Farley.
vs Appellants.
James G. Hill, The St. Paul Minneapolis & Manitoba Railway Company et al.

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Strong.

Robert Burns & George
E. Mc. Holland.
70. vs. Appellants.
Alfred A. N. Sawyer

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this case be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Fred H. Long.
471. vs. Appellant.
James G. Thayer.

Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged the de-

ered by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Brown.

Covington & Bishop. Appeal from the
90. vs. Appellant ... Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed

per Mr. Justice Brewer.

Pearl Willett, Administratrix Appeal from
of Alfred B. Willett, deceased. the Court of
121. vs. Appellant. Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court

of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

Edward H. Lewis
vs. Eff. in Error.
George C. Wilson et al.

208

On consideration of the motion for leave to withdraw the transcript of the record in this cause for the purpose of correcting the Clerk's certificate to the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied; but counsel may furnish a duplicate record by causing a copy of the printed record on file to be properly certified, or file a corrected certificate of the Clerk as he may be advised.

per Mr. Chief Justice Fuller.

William H. Lathrop. — On a petition for a
1064 vs. Pff in Error. — writ of error to the Un-
John H. Roberts et al. — ited States Circuit Court
of Appeals: Ninth Circuit.

On consideration of the petition for a writ of error or writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon had, in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Village of Holly. — In Error to the Circuit Court
130 vs. Pff in Error — of the United States for the
George C. Hunter. — Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by

this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

William A. Ide. Appeal from the
155. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

Amendment to Rule 31.

It is ordered that clause 6 of Rule 31 be, and it is, amended by substituting therefor the following:

6. When no oral argument is made for

one of the parties, only one counsel will be heard for the adverse party.

per Mr. Chief Justice Fuller.

Edward H. Teague, Administrator etc., et al. vs. Pltf. in Error & Appts. Fletcher Waddell et al. 54

On motion of Mr. James Hoban of counsel for the defendants in error, and appellees, leave is hereby granted the Clerk to issue the mandate in this cause.

The Baltimore Traction Co. vs. Pltf. in Error. The Baltimore Belt Railroad Co. 974

The motion to dismiss in this cause was submitted to the considerations of the Court on the record and printed arguments by Mr. John K. Cowen in support of the same, and Mr. Nicholas P. Bond, in opposition thereto.

David L. Hammond et al. vs. Pltf. in Error. The Connecticut Mutual Life Insurance Co. 937

The motions to dismiss or affirm in these cases were sub-

David L. Hammond et al. vs. Pepper in Error. Ann E. Gordon et al.

738. submitted to the consideration of the Court on the record in No. 937, and printed arguments by Mr. John S. Henderson in support of the same, and Mr. W. F. Jarvis and Mr. Everett Bell in opposition thereto.

George H. Sutton vs. James B. Jones et al. Appellants.

15. On motion of Mr. Emmet O. McHenry, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby continued until the next term.

The Newport News & Mississippi Valley Co., et al. vs. Pepper in Error. Martin R. Hendricks, Treas. &c.

159. On motion of Mr. Holmes Cummins, of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, passed for settlement.

The Keystone Manufacturing Company. vs. Appellant. Henry A. Adams.

The argument of this cause was continued by Mr. L. L. Coburn, of counsel for

the appellee, and concluded by Mr. J. C. Mawhaw, of counsel for the appellant.

Mary P. Miller, devisee etc. vs. Pff. in Error. Dominic G. Courtney.

This cause was submitted to the consideration of the

Court on the record and a printed argument by Mr. Walter J. Lamb and Mr. H. H. Wilson, of counsel for the plaintiff in error, with leave to counsel for the defendant in error to file a printed argument within one week.

The Galveston, Harrisburg & San Antonio Railway Co. vs. Pff. in Error. Victor Gonzales.

This cause was argued by Mr. J. Hubley Ashton, of counsel for the plaintiff in error.

No counsel appeared for the defendant in error.

W. L. Miller et al.
148. vs. Appellants.
The Eagle Manufacturing Company.

The argument of the cause was commenced by Mr. N. D. Constantine, of counsel for the appellants, and continued by Mr. George H. Christy, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Tuesday, December, 12th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. H. Davis it is ordered that David B. Hill, Esquire, of Albany, State of New York be admitted to practice as an attorney and counsellor of this Court and he thereupon accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Young it is or-

dered that H. S. Ackerly, Esquire, of Northport, and Charles B. Street, Esquire, of Sterling town, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

683. Milton L. Baer. vs. Pff. in Error. Moran Bros. Co.

Mr. J. H. Mitchell, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

165. The Union Pacific Railway Co. vs. Pff. in Error. William Daniels

Wm. Allen Butler, of counsel for the defendant in error, suggested the death of William Daniels, the defendant in error herein, and on his motion, it is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9. Rule 21.

The Bay City Street Railway Co.
168. vs. Pff. in Error. In Error to the Supreme Court of the State of Michigan.
Robbins B. Taylor et al.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

W. L. Miller et al.
163 vs. Appellants
The Eagle Manufacturing Co.

The argument of this cause now continued by Mr.

George H. Christy, of counsel for the appellee, and concluded by Mr. John C. Morgan of counsel for the appellants.

113. Ella V. Vanderbeek et al vs. Ella M. Crow. Thos. Rhoads & Ray et al. The argument of this cause was commenced by Mr. Henry C. C. Hopkins, of counsel for the plaintiffs in error.

Declaration being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray, Associate
David J. Brewer, Justices.
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. H. Davis it is ordered that Marcus D. Munn, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. H. Hatch it is order-

and that G. L. Schofield, Esquire, of Hannibal, and T. L. Montgomery, Esquire, of Kalamazoo, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

Leverett Saltonstall, Collector &c. vs. Pff. in Error. Joseph Birdsell. On motion of Mr. William A. Maury, of counsel for the defendant in error, leave is granted, & ordered the Clerk to issue the mandate in this cause.

116.

The Pennsylvania Company vs. Pff. in Error. B. W. Campbell, Administrator &c. In Error to the Circuit Court of the United States for the Northern District of Ohio.

164.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and

the cause is hereby dismissed with costs.
per Mr. Chief Justice Waite.

The Pennsylvania Co.
No. 1 vs. Plff. in Error.
E. W. Campbell, Adm. &c.

Ordered by the Court that the Clerk be, and he is hereby granted leave to issue the mandate in this cause.

Ella V. Hardenbergh et al
No. 113 vs. Plffs. in Error.
Thomas L. Ray et al.

The argument of this cause was continued by Mr. J. H. Mitchell and Mr. J. K. Kelly, of counsel for the defendants in error, and concluded by Mr. Henry C. R. Hayes of counsel for the plaintiffs in error.

The Texas & Pacific Railway Co.
No. 1 vs. Plff. in Error.
Adolph Volk.

This cause was argued by Mr. John G. Allen, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. O. H. Garland, of counsel for the defendant in error.

162. The Texas & Pacific Railway Co. vs. Plff. in Error. Henry Saunders.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Dillon, of counsel for the plaintiff in error, and Mr. James Turner, of counsel for the defendant in error.

163. The Texas & Pacific Railway Co. vs. Plff. in Error. Henry Horn.

This cause was argued by Mr. John F. Dillon, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. E. A. Sothorson, of counsel for the defendant in error

164. J. D. Hegler vs. Plff. in Error George Faulkner et al.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. O. H. Dunbar and Mr. N. J. Gray, of counsel for the plaintiff in error, and Mr. Isham Reavis, of counsel for the defendants in error.

The World was Company, Limited, et al. ..... vs. ..... Err in Error.
167 The St. Louis Mining & Milling Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. B. Collins, Mr. A. H. Garland and Mr. H. J. May, of counsel for the plaintiffs in error, and Mr. C. W. Cole and Mr. J. B. Clayberg, of counsel for the defendant in error.

Proclamation being made the Court is duly recessed until to-morrow at twelve o'clock.

Thursday, December, 14th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur L. Hughes it is ordered that O B Weller, Esquire, of Wichita, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he took the oath according ly.

The Republic Iron Mining Company. In Error to the Circuit
Court of the United
72 vs. Pff. in Error. States for the Northern
Charles M. Jones. District of Georgia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

The United States.
135 vs. Pff. in Error.
The Northern Pacific Railroad Company et al

This cause was argued by Mr. Solicitor General Maxwell, of counsel for the plaintiff in error, and Mr. James M. Hemphill, of counsel for the defendants in error.

Silas G. King.

169. vs. Appl. & Def. in Error.

The Amy & Silversmith Consolidated Mining Co.

and plaintiff in error.

The argument of the cause was commenced by Mr. C. W. Hobcourt, of counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at Twelve o'clock.

Friday, December, 15th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in behalf by Mr. James C. Carter it is ordered that Sidney G. Fisher, Esquire, of New York City, and J. A. Goodnight, Esquire, of Franklin & Charles A. Grubb, Esquire, of Louisville, Ky. of Kentucky, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Solicitor General Maxwell it is ordered that Lipman Levy, Esquire of Cincinnati, State of Ohio be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Silas D. King.
169 vs. Appl. vs. Piff in Error.
The City of Silverseville
Consolidated Mining Co

The argument of this cause was concluded by Mr. C. W. Holcomb, of counsel for the appellant and plaintiff in error, and the cause was submitted on a printed argument by Mr. W. W. Dixon, of counsel for the appellee and defendant in error.

I. B. Burck
170 vs. Appellant.
Abner Taylor.

This cause was argued by Mr. F. Charles Irwin, of counsel for the appellant, and Mr. George E. Hamilton, of counsel for the appellee.

136. The Cleveland & Pacific Ry Co Piff in Error, vs. D. W. Griffin et al.
137. The Cleveland & Pacific Ry Co Piff in Error, vs. E. L. Overheiser.
138. The Cleveland & Pacific Ry Co Piff in Error, vs. C. C. Johnson.

These cases were argued by Mr. John C. Dillon, of counsel for the plaintiff in error, and Mr. Peter J. Way, of counsel for the defendants in error.

Caroline Smithwick, Executrix etc. ..... Appellant.
vs.
The United States.

The argument of this cause was commenced by Mr. George A. King, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 18th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

On motion first made to the Court in this behalf by Mr. Wm. Stone Abert it is ordered that Charles J. Helm, Esquire, of Hartford, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. L. Montgomery it is ordered that J. A. Whiteside, Esquire, of Richland, State of Wisconsin, be admitted to practice as an attorney and counsellor of this

Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E.E. Whitney it is ordered that Sidney Mc. Mathew van Wyck, Jr. Esquire of San Francisco, State of California, & Arthur Perkins, Esquire, of Hartford, State of Connecticut, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James B. Carter it is ordered that Horace Russell, Esquire, of New York City, and Martin J. Keogh Esquire, of New Rochelle, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C.E. Hughes it is ordered that Ed. E. Lonyan, Esquire, of St. Louis, State of Missouri be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	Sarah Shaw.	Appeal from the
129.	vs.	Appellant Circuit Court of
	The Detroit Dry Dock Company,	the United States
	The Detroit Belle Isle Ry & Windsor	for the Eastern
	Ferry Company & Frederick	District of Mich
	Schulenburg.	igan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

	Lottie E. Ward.	In Error to the Circuit
110.	vs.	Peff. in Error. Court of the United States
	Elmer J. Cochran.	for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire de novo.

per Mr. Justice Shiras.

Howard Mb. Giles, Elridge G. Brown, Robert Mb. Pugh and Isaac P. Smith, trading as Hoyes, Smith and Co. Appellants
vs. } Appeal from the Circuit Court of the United States for the Southern District of New York.
152 John L. Hepsinger & The Union Trust Company, Administrator of the estate of Christian H. Hershey, et al.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It

is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Brown.

Ex parte; In the matter of Frederick Holcomb. Petitioner. On consideration of the petition for a writ of mandamus herein,

7. Original.

of the return to the rule to show cause, and the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per Mr. Justice Gray.

The Lehigh Iron & Iron Company, Limited, Plff. in Error. vs. William B. Smith, Executor, &c., of Charles Crawford, deceased, et al. Def. in Error. In Error to the Circuit Court of the United States for the Southern District of New York.

8.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Harlan.

The Chief Justice announced that the Court would adjourn at the conclusion of business on Friday, the 22d instant, until Wednesday, January 3d, 1894.

163 Milton L. Boyer vs. Jeff. in Error. Warren Brothers Co.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, & the same is hereby, granted, and the cause assigned

for argument on the first Monday of March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Texas Pac. R'y Co. vs. The New Jersey Lightering Co. 1073. Appellant. Appellee. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said petition be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

David L. Hammond, Edward C. Smith, Charles L. Hammond, et al. vs. The Connecticut Mutual Life Insurance Company. 937. Pltffs. in Error. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

David L. Hammond et al. In Error to the Su-
938. vs. Def. in Error. preme Court of the
Ann E. Hoxlow et al. State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

922. Nelson P. Evans, Plff. in Error vs. The United States.
923. Nelson P. Evans, Plff. in Error vs. The United States.

It is ordered by the Court that these cases be, and the same are hereby, restored to the docket for re-argument before a full bench, with particular reference to the sufficiency of the eighth, ninth, tenth and fourteenth counts in No. 922, and the fifth to the eleventh counts, inclusive, and the fourteenth, fifteenth, sixteenth and twentieth counts in No. 923.

per Mr. Chief Justice Fuller.

William Beldew

66. ... vs. ... Plff. in Error. ... In Error to the
Emory A. Chase & William ... Court of Appeals
J. Hughes, as Executors of the ... of the State of
last will & Testament of ... New York.
William Dowdney, dec'd.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, & was argued by counsel. On consideration

whereof. It is now here ordered & adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

per Mr. Chief Justice Chase.

(Mr. Justice Field & Mr. Justice Grier did not hear the argument and took no part in the consideration & decision of this case).

Ex parte: In the matter of G. B. Swan. In Original. Petitioner.

On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause, and the argument of counsel thereupon heard, as well in support of, as against the same, It is now here ordered by this Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Chase.

Edward L. Hedden, Collector &c. } Mr. Schatz for
vs. } Pltff. in Error } said Plaintiff
William Robertson. } } of record, suggested the death

212.

of Edward L. Hedden, the plaintiff in error herein, and moved the Court to make Elizabeth Hedden, Administratrix of Edward L. Hedden, deceased, the party plaintiff in error. Whereupon, It is now here ordered by the Court that said Elizabeth Hedden, Administratrix of Edward L. Hedden, deceased, be, and she is hereby, made the party plaintiff in error in this cause.

Oscar L. Richard et al } Mr. Schatz for
vs. } Defts. in Error } Plaintiffs in
Edward L. Hedden, Collector &c. } } Error, suggested

563.

the death of Edward L. Hedden, the defendant in error herein, and moved the Court to make Elizabeth Hedden, Administratrix of Edward L. Hedden, deceased, the party defendant in error. Whereupon, It is now here ordered by the Court that the said Elizabeth Hedden, Administratrix of Edward

L. Hechler, deceased, to, such she is hereby, made the party defendant in error in this cause.

Georg Hoy Lee. vs. The United States. Appellant. This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed argument by the Solicitor General Maxwell, of counsel for the appellee.

The Singer Manufacturing Co. vs. The Lane Manufacturing Co. Appellant. Mr. Lawrence Maxwell Jr., of counsel for the appellant, moved the Court for leave to omit from the printed record herein certain exhibits, which was opposed by the Hon. Henry Brewer, of counsel for the appellee. Whereupon, It is ordered by the Court that said motion be postponed until January 3, 1879.

Jacob C. Wann. Mr. J. H. H. McPherson,
375. vs. Appellant. of counsel for the ap-
The Sacramento Land Co pellees, submitted to
the consideration of
the Court a motion to advance this cause.

The Lucy. Appeal from the
1014. vs. Appellant. District Court of the
The United States & Clara A. United States for
Yard, United States Marshal the Northern Dis-
for the Southern District of California. trict of California.

This cause having been called to the atten-
tion of the Court by Mr. J. Hubley Ashton
of counsel for the appellant, and he having
moved the Court to dismiss this cause,
Therefore, in pursuance of said motion, It
is now here ordered, adjudged and decreed
by this Court that this appeal be, and the
same is hereby, dismissed
per Mr. Chief Justice Fuller.

Chun Sheung Yuen. Appeal from the
1015 vs. Appellant. District Court of the
The United States & George E. United States for
Ward, United States Marshal for the Southern Dis-
the Southern District of California. trict of California.

This cause having been called to the attention of the Court by Mr. J. Hubley Ashton, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged & decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Yong Loui. Appeal from the
1016 vs. Appellant. District Court
The United States and of the United States
George E. Ward United for the Southern
States Marshal for the South- District of
ern District of California. California.

This cause having been called to the attention of the Court by Mr. J. Hubley Ashton,

of counsel for the appellant, and he having moved the Court to dismiss the cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Fuller.

Tong Wye
vs. Appellant
The United States and
George E. Yard, United
States Marshal for the South-
ern District of California.

Appeal from the
District Court
of the United States
for the South-
ern District
of California.

1017

This cause having been called to the attention of the Court by Mr. J. Hubley Ashton, of counsel for the appellant, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

	The Ring.	Appeal from the
1018	vs. Appellants.	District Court
	The United States and	of the United States
	George C. Gorham, United States	for the South-
	Marshal for the Southern	ern District
	District of California.	of California.

This cause having been called to the attention of the Court by Mr. J. Shirley Hodson, of counsel for the appellants, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

	The Aspen Mining & Smelting	The motion for
	Company et al.	an order grant-
918.	vs. Appellants.	ing leave to
	Margaret Billings et al.	the Clerk to
	The Aspen Mining & Smelting	issue the man-
	Company et al.	date in these
919.	vs. Appellants.	cases was
	Margaret Billings et al.	submitted.

to the consideration of the Court by Mr. C. C. Hughes and Mr. C. A. Green, in support of the same, and Mr. Cristowen Barbis, in opposition thereto.

Henry Hilton et al.
223 vs. Appellants.
Gustave Berlin Guyot et al.

On motion of Mr. James C. Carter of counsel for the appellants, It is ordered by the Court that this cause be set down to be argued with case No. 1440, as one case, when that case is reached in the regular call of the docket.

Joseph Gottlieb.
192. vs. Appellant.
Lewis C. Fletcher.

Mr. John Goode, in behalf of counsel, submitted to the consideration of the Court a motion to postpone the hearing of this cause.

Ex parte; In the matter of Benjamin H. Jobe vs. Petitioner.

Mr. John Whitelaw Clark, of counsel for the petitioner, submitted to the consideration of the Court a motion for

leave to file a petition for a writ of mandamus herein.

2/0 William H. Knapp et al. Appts. vs. Charles T. Howe.
3/0 Samuel W. Leffard et al Appts. vs. Charles T. Howe.

Mr. William O'Mc Kenney in behalf of counsel for the appellants, submitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandates in this cause.

George B. Stilton. vs. James E. Jones et al. Appellants.

Mr. Frederic O. McKenney, in behalf of counsel, suggested the death of George H. Stilton, the appellant herein, and moved the Court to make William W. Cumberson, Administrator of the estate of George H. Stilton, deceased, Amanda M. Stilton, wife, James E. Stilton, Joseph B. Stilton, Mary M. Lucas, Alice B. McCharms and Augusta Stilton, children of the said George H. Stilton, deceased, the parties appellants in this cause. Whereupon, It is now here ordered by the

Court that the said William M. Dunham, Administrator of the estate of George H. Hilton, deceased, Hannah M. Hilton, widow, [illegible] James G. Hilton, Joseph B. Hilton, Flora M. Lincoln, Cornelia B. Du Bruno and Augusta Hilton, children of the said George H. Hilton, deceased, &c. and they are hereby, made the parties appellants in this cause.

870. The Pitts Mining Co. vs. Pff. in Error. John M. Ripley.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. Rufus H. Brayer, in support of the same, and Mr. Nathan Frank, in opposition thereto.

1000. The Supreme Lodge, Knights of Pythias of the World. vs. Pff. in Error. Mrs. Eugenia Kalinski.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. M. M. Marks, in support of the same, and Mr. J. O. Rowe & Mr. William

Grant, in opposition thereto.

Caroline Southworth, Executrix etc. vs. The United States. Appellant. 171.

On motion of Mr. Assistant Attorney General Hodge, of counsel for the appellee, It is now here ordered by the Court that a writ of certiorari be, and the same is hereby, awarded in this cause returnable forthwith.

Caroline Southworth, Executrix etc. vs. The United States. Appellant. 171.

The argument of this cause was continued by Mr. George A. King, of counsel for the appellant, and Mr. Assistant Attorney General Hodge, of counsel for the appellee, and concluded by Mr. Louis Shaw of counsel for the appellant.

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117. Theodore Lowndes. vs. Off in Error. The Board of Trustees of the Town of Huntington.

The argument of this cause was commenced by Mr. James C. Carter, of counsel for the plaintiff in error, and continued by Mr. David B. Ogden, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December, 19th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James C. Carter it is ordered that W. R. Spooner Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Heber J. Hay it is ordered that Sterling B. Cockrill, Esquire, of Little Rock, State

of Arkansas, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard N. Clarke it is ordered that A. C. Brickell, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. L. Carpenter it is ordered that Henry A. Haigh, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

Lucas A. Loomis. vs. The John P. Hoge Manufacturing Company. 734. Appellants.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. B. F. Montgomery, of counsel for the appellant, & no

Charles J. Greene, of counsel for the appellee.

Thurston Lowndes
117 vs. Plff in Error.
The Board of Trustees of
the Town of Huntington.

The argument of this cause was continued by Mr. David B. Ogden, of counsel for the defendant in error, and concluded by Mr. James C. Carter, of counsel for the plaintiff in error.

The Chicago, Milwaukee &
St. Paul Railway Co.
175 vs. Plff in Error.
Martin Lowell.

This cause was argued by Mr. C. E. Pindram, of counsel for the plaintiff in error, & Mr. W. D. Shuman, of counsel for the defendant in error.

Gustave G. Hauer
174 vs. Plff in Error.
J. G. Allerton.

The argument of this cause was commenced by Mr. Morgan H. Beach, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, December, 20th, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. H. G. Davis it is ordered that Charles M. Cole, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

154 John M. Wickersham, Sheriff etc. Appeal from the Circuit
vs. Appeal dism'd. Court of the United States for
C. A. Palmer. the District of Kan-

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore in pursuance of the 15th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Gustavus G. Shaver. The argument of this
174 vs. Sff. in Error. cause was concluded
R. G. Atterbow. by Mr. Morgan H.
Beach, of counsel for
the defendant in error, and the cause was submitted on a printed argument by Mr. H. W. Magee, of counsel for the plaintiff in error.

Alexander K. Wilson. This cause was ar-
175 vs. Appellant. gued by Mr. P. H. Dixon,
Owego Township et al. of counsel for the appellant, and submitted on a printed argument by Mr. John O'Kay, of counsel for the appellees.

Geo. Shepard & Birmingham Coal Iron & Railway Co
176. vs. Appellant
Gordon, Strobel & Laureau, Limited.

This cause was argued by Mr. N. B. Coughlin, of counsel for the appellant, and Mr. W. D. Hunter and Mr. A. G. Brickell, of counsel for the appellees and leave was granted counsel for the appellees to file an additional brief within five days

David W. Morrison
177. vs. Def. in Error.
John G. Watson

This cause was argued by Mr. Broderick, Mr. Kenny, of counsel for the plaintiff in error, and Mr. W. W. Cumming, of counsel for the defendant in error.

John Power et al.
178. vs. Plffs. in Error.
William G. Richards et als. Executors etc.

This cause was jointly by Mr. N. B. Coughlin of counsel for the plaintiffs in error, & submitted on a printed argument by Mr. Preston, Jr. Counsel of counsel for the defendants in error.

Proclamation being made the Court is adjourned

Thursday, December, 21st, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. G. Brown it is ordered that Lowry Jackson, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

192 Joseph Gottlieb vs. Louis C. Thatcher. Appellant. On consideration of the motion to postpone the hearing of this cause,

It is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

Robert L. Wharton. On motion of Mr.
1054. vs. Appellant. Holmes Conrad, in
John H. Wise, Sheriff &c. behalf of counsel. It
is ordered that this
cause be, and the same is hereby, reassigned
for argument on the first Monday of March
next after the cases heretofore assigned for
that day.

Henry Hilton et al. On motion of Mr
223. vs. Appellants. A.B. Browne, in be-
Gustave Berlin Guyot et al. half of counsel,
vs. It is ordered by
Henry Hilton et al. the Court that
440. vs. Pets. in Error. the order entit-
Gustave Berlin Guyot et al. ed herein on
the 18th instant
be, and the same is hereby, rescinded, and
that case No. 440 be advanced for argument
with case No. 223, as one case.

John W. Wilkerson,		Appeal from the Cir-
Sheriff &c.		cuit Court of the United
168.	vs. Appellant.	States for the District
Jacob H. Sicker.		of Kansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

C. W. Conrad,		Appeal from the Cir-
Marshal &c.		cuit Court of the United
166	vs. Appellant.	States for the District
George Bell.		of Kansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court

was here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

187. The Northern Pacific Railroad Company. vs. Plff. in Error. George Stanley.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Mc. Naught, Mr. A. H. Garland, and Mr. H. J. May, of counsel for the plaintiff in error, and Mr. S. L. Haspell, of counsel for the defendant in error.

188. The Northern Pacific Railroad Company. vs. Plff. in Error. Jane Everett, Adm'x, etc.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. James Mc. Naught, Mr A. H. Garland and Mr. H. J. May of counsel for the plaintiff in error and Mr. S. L. Haspell, of counsel for the defendant in error

The Crescent Mining Co. vs. The Wasatch Mining Co. — Appellant. — This cause was argued by Mr. R. W. Baskin, of counsel for the appellant, and Mr. J. S. Brown of counsel for the appellee.

180.

The Mammoth Mining Co. vs. The Salt Lake Foundry and Machine Co. — Appellant. — This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Bennett and Mr. J. E. Sutherland, of counsel for the appellant, & Mr. Arthur Brown, of counsel for the appellee.

181.

The Keokuk & Western M. Co. vs. The County Court of Scotland County et al. — Appellant. — On motion of Mr. John G. Kilbourn, of counsel for the appellant, It is ordered by the Court that this cause be advanced for argument with Cases Nos. 182 and 183, as one case, and that one hours additional time be allowed counsel on

184.

Said rule for the argument of the cases

182. The Kansas City Western R. R. Co. vs. City of Carrollton. The State of Missouri ex rel. W. H. Winn, Collector &c. vs. The Kansas City Western R. R. Co. Appellant.

183. The County Court of Scotland County et al. vs. The Kansas City Western R. R. Co. Appellant.

414. The County Court of Scotland County et al. vs. The Kansas City Western R. R. Co. Appellant.

The argument of these cases is commenced by Mr. C. P. Stoughton of counsel for the plaintiff in error & appellant. and continued by Mr. J. C. Moore. of counsel for the defendant in error.

and appellee.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock

Friday, December 22d, 1893.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
John M. Harlan,
Horace Gray,
David J. Brewer, Associate
Henry B. Brown, Justices.
George Shiras jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Prayer having been made the Court is opened.

On motion first made to the Court in the absence by Mr. John F. Dillon it is ordered that James L. Blair, Esquire, of St. Louis, Mo. of Missouri, and Rollin M. Morgan, Esquire of New York City, be admitted to practice as attorneys and counsellors of this Court, & they were severally accordingly.

No. 1 William A. Knapp et al. Apps. vs. Charles A. Moore.
No. 3 Samuel M. Lefford et al. Apps. vs. Charles A. Moore.

On consideration of the motion for an order granting the Clerk leave to issue the mandates in these cases It is now here ordered by the Court that said motion be and the same is hereby granted.

per Mr. Chief Justice Fuller

53. The Sioux Falls National Bank, of Sioux Falls, Dakota vs. Jeff. in Errors. The plaintiffs in error, filed a motion for an order granting leave to the Clerk to issue the mandate in this cause.

Mr. Holding in behalf of the

182. The Keokuk & Western R.R. Co. vs. The State of Missouri, ex rel: W.H. Wine Collector etc. Jeff. in Error.

The argument of this cause was continued by Mr. J. C. Timmons, of counsel for the defendant in error.

183. The Keokuk & Western R.R. Co. vs. The County Court of Scotland County et al. Appellant.

And

The Norfolk & Western R.R. Co. vs. The County Court of Scott and County et al.

414. Appellant.

sitions, and Mr. G. L. Schofield, of counsel for the appellees, was concluded by Mr. John F. Dillon, of counsel for the plaintiff in error and appellant.

Further hearing in the Court is adjourned until Wednesday, January 3d, 1894, at twelve o'clock.

Wednesday, January 3d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

John M. Harlan
Horace Gray
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras Jr.
Howell E. Jackson.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in the hearing by the Solicitor General Harriett it is ordered that Henry W. Shepard Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the hearing by Mr. H.B. Bradford it is ordered that

W.C. Brown Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J.M. Mc. Bammon it is ordered that Edward Wells, jr. Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Hoar it is ordered that Samuel W. Truett, Esquire, of Columbia, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.B. Somers it is ordered that Andrieus A. Jones, Esquire of Las Vegas, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the
behalf by Mr. George E. Edmunds it is ordered
that C. Carwardine Crenshaw, Esquire, of Chicago,
State of Illinois, be admitted to practice as
an attorney and counsellor of this Court,
and he was sworn accordingly.

113. Ella V. Hardenbergh, Plaintiff &
Hardenbergh & Belle N. Schou-
maker, children and heirs at law
of Herman R. Hardenbergh, dec'd.
vs. Pffs. in Error.
Thomas L. Ray, Caleb L. Ray Sy-
lab E. Ray et al

In Error to
the Circuit
Court of the
United States
for the Dis
trict of Ore
gon.

This cause came on to be heard on the
transcript of the record from the Circuit Court
of the United States for the District of Oregon,
and was argued by counsel. On consideration
whereof, It is now here ordered and
adjudged by this Court that the judgment
of the said Circuit Court in this cause be,
and the same is hereby, affirmed with costs.
per Mr. Justice Jackson.

Alexander D. Wilson. Appeal from the Circuit Court
178. vs. Appellant. of the United States for
Dawes Township and the Eastern District of
C. Montague, Trustee. Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand the said to the State Court from which it was originally removed.

per Mr. Justice Jackson.

The Central Trust Company Appeal from the Circuit
of New York. Court of the
96. vs. Appellant. United States for
William Mc. George, Junior, the Western Dis-
in his own right & as Trustee trict of Virginia.
for John C. Bullitt et al

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings to be conducted with the opinion of this Court.

per Mr. Justice Shiras.

Damons Smith, Plff. in Error, vs. The United States. In Error to the Circuit Court of the United States for the Western District of Arkansas.

1093

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed: and that this cause be, & the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Sarah F. Angle, Administratrix of the Estate of Horatio G. Angle, deceased.
vs. Appellant.
The Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

73.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be,

and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer, and for further proceedings in conformity with law.

per Mr. Justice Brewer

Dissenting:

Mr. Justice Harlan.

Marshal Tucker vs. Pay in Error. The United States.

170 In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Gray.

Joseph Inglehart, Frank Inglehart, Loretta A. Inglehart & Ida Inglehart, by William F. Rukard their guardian ad litem. Appeal from the Supreme Court of the District of Columbia.

1111. vs. Appellants

The Washington Loan & Trust Company Executor of John Way Stansbury, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Justice Gray.

The Texas & Pacific Railway Company. In Error to the Circuit Court of the United States for the Northern District of Texas.

161 vs. Iff in Error.

Adolph Volk.

This cause came on to be heard on the

Court of the United States for the Northern District of Texas and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and ten per cent. damages, in addition to interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Justice Gray.

Leong Way Qui. vs. The United States. Appeal from the Circuit Court of the United States for the Northern District of California

418.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said

is hereby, affirmed for want of prosecution.
per Mr. Chief Justice Fuller.

Jacob C. Wann. ..... On consideration of
378. is Appellant. the motion to advance
The Bacon Island Co. this cause, It is now
here ordered by the
Court that said motion be, and the same
is hereby, granted, and the cause assigned
for argument on the first Monday in
March next, after case No. 688.
per Mr. Chief Justice Fuller.

The Aspen Mining & Smelting Co, et al. ..... On consideration of
918. ..... to ..... Appellants ..... the motion
Margaret Billings et al. for an order
and granting
The Aspen Mining & Smelting leave to the
Co., et al. ..... Clerk to
919 to Appellants issue the
Margaret Billings et al. writs as in these
cases It is now here ordered by the Court that
said motion be, & the same is hereby, denied.
per Mr. Chief Justice Fuller.

Ex parte: In the matter of Benjamin H. Johnson. Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Lucas A. Worden. v. Whitall. The John G. Hoyt Manufacturing Company.

1734. Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The Aztec Mining Co. In Error to the United States
670. vs. Plff. in Error. Circuit Court of Appeals
John W. Ripley. for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, & the same is hereby, remanded to the Supreme Court of the Territory of New Mexico.

per Mr. Chief Justice Waite.

The Texas & Pacific Rail- In Error to the
way Company. Supreme Court
138. vs. Plff. in Error. of the State of
W. G. Johnson. Texas.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Gulf Colorado & Santa Fe Railway Company, Plff. in Error, vs. Taylor W. Griffin, Alexander Mason, B. F. Looney & Charles A. Culberson. In Error to the Supreme Court of the State of Texas.

136

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, & the same is hereby affirmed with costs.

per Mr. Chief Justice Fuller

137. The Texas & Pacific Railway Company. ... vs. Pff. in Error. E. S. Overheiser. — In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

162. The Texas & Pacific Railway Company. vs. Pff. in Error. Henry Saunders. — In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now

here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

163. The Texas & Pacific Railway Company, vs. Henry Horn. — In Error to the Circuit Court of the United States for the Eastern District of Texas. Plff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

John Cadwalader, Collector of Customs for the District of Philadelphia.		In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
302.	vs. Eff. in Error.	
Harry R Schultz.		

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell, of counsel for the plaintiff in error, and counsel for the defendant in error, having filed confession of error & consent that the judgment herein be reversed. Therefore, in pursuance of said confession and consent, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to take further proceedings therein in accordance with law.

per Mr. Chief Justice Fuller.

Anthony G. Seeberger, Collector of Customs for the Port & District of Chicago.
vs.
William Best, W. H. Russell & Lorin Palmer, copartners as Best, Russell and Co.

275. Def. in Error

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause having been called to the attention of the Court by Mr. Solicitor General who, of counsel for the plaintiff in error, he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

1062. Thomas St. Clair, Pltf. in Error vs. The United States.
1085. Herman Sparf et al. Plffs. in Error vs. The United States.
1080. Henry Hunt, Plff. in Error vs. The United States.

On motion of Mr. Solicitor General who, of counsel for the defendant in error, It is ordered by the Court that this case

be, and the same are hereby, advanced & assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

The Interstate Commerce Commission. ..... On motion of Mr. George F. Edmunds, of counsel for the appellant, it

883. vs. Appellant.
W. G. Brimson et al.

is ordered by the Court that this cause be passed, subject to the provisions of section 4 of Rule 26.

John Halstead. Mr. Epaphroditus Peck, of counsel, suggested the death of F. B. Fleming, one of the appellees

128. vs. Appellant.
A. G. Brimson et al

herein, and moved the Court to admit H. D. Crismond, Executor of the said F. B. Fleming, to be party appellee in this cause. Whereupon, it is now here ordered by the Court that the said H. D. Crismond, Executor of F. B. Fleming, deceased, be and he is hereby, made a party appellee in this cause.

John Halstead. On motion of Mr. Eppa
128 vs. Appellant. Hunton, of counsel for
A. G. Grinnan et al. the appellees, leave is
hereby granted him to
file a printed brief and Counsel for the
appellant to file a reply thereto within ten
days.

George W. Lawton et al. Mr. William A. Mc
203 vs. Pepp. in Error. Kenney, in behalf of
William H. Steele. counsel, submitted
to the consideration
ion of the Court a motion to pass this cause.

Andrew L. Smith & Co
Henry Brandell. Appeal from the Cir
vs. Appellants. cuit Court of the Un
200 John Pirkl. ited States for the Eastern
District of New York.

It appearing to the Court that a stipu
lation of counsel for the respective parties
to this cause has been filed, therefore,
in pursuance of said stipulation,
It is now here ordered, adjudged and de-
creed by this Court that the appeal in and

the same is hereby, dismissed.
per Mr. Chief Justice Fuller.

The Fort Wayth City Co. vs. Deff. in Error. The Smith Bridge Co.

360 This cause was submitted to the consideration of the Court, pursuant to the 30th rule, on the record & printed arguments by Mr. Thomas F. Hunter of counsel for the plaintiff in error, and Mr. W. G. Crawford of counsel for the defendant in error.

Michael Haughey. vs. Appellant. Jesse Lee and Sons.

184 This cause was argued by Mr. B. J. Klein, of counsel for the appellant, and Mr. Ernest Howard Hunter, of counsel for the appellee.

The Hutchinson Investment Co. of Hutchinson, Kansas et al. vs. Deff. in Error. John Caldwell.

190 The argument of this cause was commenced by Mr. Almerin Gillett, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourn

Thursday, January 4th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson.
} Associate Justices.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John H. Mitchell it is ordered that Augustus L. Crosson, Esquire, of Oregon City, State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Pope Humphrey it is ordered that William Yates, Esquire, of

Covington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

203. George W. Lawton et al. vs. William H. Steele. Pff. in Error. On consideration of the motion to pass this cause, It is now here ordered by the Court that said motion be, and the same is hereby, denied. per Mr. Chief Justice Fuller.

190. The Hutchinson Investment Co. of Hutchinson, Kansas et al. vs. John Caldwell. Pff. in Error. The argument of this cause was continued by Mr. Alexander Gillett, of counsel for the plaintiffs in error. The Court ordered to hear further argument

191. The Louisville, Evansville & St. Louis Railroad Co. vs. George Clarke, Executor etc. Pff. in Error. The cause was argued by Mr. Alexander Pope Humphrey, of counsel for the

pleading in error, and Mr. W. H. Miller of
counsel for the defendant in error.

Joseph Gatlin. The argument of the cause
192. vs. Appellant, was commenced by Mr.
Lewis C. Thatcher. P. D. the Court of counsel
for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Friday, January 5th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Alfred D. Eddy, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Grosvenor it is ordered that A. M. Dougherty, Esquire, of Waverly, Iowa, C. H.

and Uriah R. Hysell, Esquire, of Columbus, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were severally accordingly.

Michael Morgan et ab.
892. vs. Pff. in Error.
Edward O. Burgess Executrix &c.

Ordered by the Court that this cause be and the same is hereby, re-assigned for argument on the 22d instant.

A. W. Brennan.
702. vs. Pff. in Error.
The City of Titusville.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record and printed arguments by Mr. Roger Sherman, of counsel for the plaintiff in error and Mr. George A. Chase, of counsel for the defendant in error.

William H. Mc. Broom.
1028. vs. Pff. in Error.
The Scottish Mortgage & Land Investment Company of New Mexico Limited.

This cause was submitted to the consideration of the Court, pursuant to the 20th.

rule on the record and printed arguments by Mr. Frank Springer, of counsel for the plaintiff in error, and Mr. A. A. Jones & Mr. Eugene A. Cooke, of counsel for the defendant in error.

Susan Dawson
... vs. ... Pff. in Error.
The North River Bridge Co.

1040

This cause was submitted to the consideration of the Court, pursuant to the 30th rule, on the record & printed arguments by Mr. Gilbert Collins, of counsel for the plaintiff in error, and Mr. J. D. Cooke, of counsel for the defendant in error.

The Hancock Land & Imp. Co.
... vs. ... Pff. in Error.
John B. Dawson.

1065

This cause was submitted to the consideration of the Court, pursuant to the 30th rule, on the record and printed arguments by Mr. Frank Springer, of counsel for the plaintiff in error, and Mr. A. A. Jones, of counsel for the defendant in error.

197. The North Chicago Rolling Mill Co. vs. The St. Louis Ore & Steel Co. et al. Appellant

On motion of Mr. E. Parmalee Prentice, leave is hereby granted to withdraw the appearances of James C. Hutchins, A. A. Goodrich and E. E. Barney as counsel for the appellant herein.

883. The Interstate Commerce Commission. vs. W. G. Brimson et al. Appellant.

On motion of Mr. E. Parmalee Prentice leave is hereby granted to withdraw the appearance of Lyman Trumbull as counsel for the appellees herein.

1023. The Covington & Cincinnati Bridge Co. vs. The Commonwealth of Kentucky. Plff. in Error.

1043. The Covington & Cincinnati Elevated Railroad & Transfer & Bridge Co. vs. The Commonwealth of Kentucky. Plff. in Error.

On motion of Mr. William Grant of counsel for the plaintiff in error, it is ordered by the

Court that these cases be, and they are hereby reassigned for argument on the 22d instant after the case heretofore assigned for that day.

Joseph Gottlieb.
175. vs. Appellant
Louis C. Thatcher.

The argument of this cause was continued by Mr. R. G. McNeal, of counsel for the appellant, and Mr. J. Warner Mills, of counsel for the appellee, and concluded by Mr. R. G. McNeal, of counsel for the appellant.

The Cincinnati Siemens-Lungren Gas Illuminating Co.
175. vs. Pty. in Error.
The Western Siemens-Lungren Co.

The argument of this cause was commenced by Mr. J. W. Warrington, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January, 8th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.

John W. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward B. Whitney it is ordered that James H. Webb, Esquire, of New Haven, State of Connecticut be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford Anderson it is

ordered that William A. Wimbish, Esquire, of Columbus, State of Georgia, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Smith it is ordered that William C. Culbertson, Esquire, of Mt. Vernon, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. White it is ordered that James E. Wadham, Esquire, of San Diego, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. P. Walker it is ordered that William H. Carroll, Esquire, of Memphis, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

W. L. Miller & L. W. Miller.		Appeal from the Circuit
143.	vs.	Court of the United
	Appellants.	States for the Southern
The Eagle Manufacturing		District of Iowa.
Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Jackson.

The Keystone Manufac-		Appeal from the Circuit
turing Company.		Court of the United States
156.	vs.	for the Northern Dis-
	Appellant.	trict of Illinois.
Henry A. Adams.		

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for nominal damages with costs.

per Mr. Justice Strong.

Henry M. Bates & J. C. Bates Walley. vs. Sarah A. Prentice. In Error to the Circuit Court of the United States for the District of Massachusetts.

163.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be and the same is hereby reversed with costs and that the cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and grant a new trial.

per Mr. Justice Brown.

The Chicago, Milwaukee & St. Paul Railway Company, Plff. in Error, vs. Martin Lowell. In Error to the Circuit Court of the United States for the District of Minnesota.

173

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr. Justice Brown.

Caroline Southmayd, Executrix of John C. Southmayd, deceased. vs. The United States. Appellant.

171.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby remanded to the said Court of Claims with directions to overrule the demurrer, and for further proceedings in conformity to law.

per Mr. Justice Brewer.

John Cadwalader, Collector of Customs for the District of Philadelphia vs. John E. Gelo, Frederick Ebeling and Theodore Kruse, trading as Gelo, Ebeling and Kruse.

106

Pltf. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Gray.

25. William P. Halliday. ... to ... Appellant. Robert W. Hunter & Julian L. Jones, as Executors of the last will & testament of Richard H. Hunter, deceased, & John S. Whitaker. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

Caroline Southmayd, Executrix of John P. Southmayd III, deceased. vs. The United States

171. Appellant. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby remanded to the said Court of Claims with directions to overrule the demurrer, and for further proceedings in conformity to law.

Per Mr. Justice Brewer.

John Cadwalader, Collector of Customs for the District of Philadelphia vs. John E. Gale, Frederick Ebling & Theodore Kuss, trading as Gale, Ebling and Kuss.

105. Pltf. in Error. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Gray.

William P. Halliday. vs. Robert W. Smuller & Julius S. Jones, as Executors of the Last will & testament of Richard H. Stuart, deceased, & John S. Whitaker.

25. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings consistent with the opinion of this Court.

per Mr. Justice Harlan.

Enoch Davis. ..... In Error to the Su-
vs. preme Court of the
The People of the Territory of Utah. Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed.

Ex parte: In the matter of John Bowers.

8. Original. Petitioner.

On consideration of the petition for a writ of habeas corpus herein, of the return to the rule to show cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted, and that the petitioner be discharged from the custody of the Warden of the penitentiary at Anamosa in the State of Iowa: but without prejudice to the right of the United States to take any lawful measures to have the petitioner sentenced in accordance with law upon the verdict against him.

per Mr. Justice Field.

Order.

It is ordered by the Court that the Chief Justice be, and he is hereby, designated to audit and certify to the accounts of the Clerk for clerk hire and the incidental expenses of the Clerk's office.

1000 The Supreme Lodge, Knights of Pythias of the World. vs. Plff. in Error. Mrs. Eugenie Kalmiotis. It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be and the same is hereby postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Waite.

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774 The Baltimore Traction Company. vs. Plff. in Error. The Baltimore Belt Railroad Company. In Error to the Baltimore City Court.

This cause came on to be heard on the transcript of the record from the Baltimore City Court, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

150. John G. Wollensak. — vs. — Sargent & Company. — Appellant. — Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Fuller.

513. The Boston & Maine Rail-road. — vs. — Eugene O. Ramsey. — Deft. in Error. — In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause having been called to the attention of the Court by Mr. Frank W. Stockbridge of counsel for the defendant in error, and a stipulation to dismiss the same having been filed. Therefore, in pursuance of said

stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

Am Bottom &c Wharf Railroad. vs Pff. in Error. Eugene D. Ramsey. 813

On motion of Mr. Frank W. Hackett of counsel for the defendant in error leave is hereby granted the Clerk to issue the mandate in this cause.

Joseph T. Hill. vs. Pff. in Error John Corcoran. 681

Mr. Henry Wise Garnett of counsel for the plaintiff in error, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause.

Joseph T. Hill. vs. Pff. in Error. John Corcoran. 681

The motions to dismiss or affirm in this cause were submitted to the consideration of the

Court on the record and printed arguments by Mr. Frederic D. McKenney in support of the same, and Mr. Henry Wise Garnett in opposition thereto.

The New York & New England Railroad Company.
917. vs. Pff. in Error.
The Town of Bristol et al.

The motions to dismiss or affirm in the cause were submitted to the consideration of the Court on the record and printed arguments by Mr. John J. Jennings and Mr. H. C. Robinson in support of the same and Mr. Charles E. Perkins in opposition thereto.

Howard W. Giles et al.
152. vs. Appellants.
John L. Heyninger et al.

On motion of Mr. John J. Jennings, of counsel for the appellants, leave is hereby granted the Clerk to issue the mandate in this cause.

G. D. Maynard et al.
680. vs. Pffs. in Error.
Charles Hecht.

The motions to dismiss or affirm in this cause were sub

mitted to the consideration of the Court on the record and printed arguments by Mr. Walter H. Smith, Mr. G. W. Holcomb, Mr. Wesley J. Saunders, Mr. O. B. Ricketts and Mr. H. H. Wilson, in support of the same, and Mr. S. L. Woodgerry, in opposition thereto.

Ex parte: In the matter of The Virginia Home Insurance Company. ... ... Petitioner. ... Mr. George A. Black, of counsel, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein.

George Bailey et al. vs. John P. Lundberg. ... Appellants. ... The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court by Mr. George A. Black, in support of the same.

1095

The Connecticut Mutual Life Insurance Company
vs. Plff. in Error.
C. H. Akins, Executor etc

On motion of Wm. B. & Akins. of counsel for the defendant in error, leave is

100

hereby granted the Clerk to issue the mandate in this cause.

The Newport News & Mississippi Valley Company et al.
vs. Plffs. in Error
Martin B. Hendricks, Admr etc.

Error to the Supreme Court of the State of Tennessee.

189

This cause having been called to the attention of the Court by Wm. L. Wilkes, on behalf of counsel, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per the Chief Justice Fuller

The Merchants' Cotton Press & Storage Company.

807 ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al.

The National Fire Insurance Co. of Conn.

808. ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al.

The Mutual Fire Insurance Co. of New York.

809. ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al.

The Continental Insurance Co. of New York.

810. ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al.

The Fire Association of New York

811. ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al

The Liverpool & London & Globe Insurance Co

812. ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al

And

The Royal Insurance Company of London, England

813. ..... vs. ..... Pff. in Error.

The Insurance Company of North America et al.

These cases were submitted to the consideration of the Court, pursuant to the Act

rule on the record and printed arguments by Mr. J. B. Dudley, Mr. Luke E. Wright, Mr. C. W. Helvay and Mr. J. C. Walker, of counsel for the plaintiffs in error, and Mr. John M. Butler, Mr. Holmes Cummins and Mr. William H. Carroll, of counsel for the defendants in error.

165. The Union Pacific Railway Company. vs. Plff. in Error. William Daniels. — The death of William Daniels, the defendant in error herein, having been heretofore suggested, now, on motion of Mr. Frederic D. McKenney, in behalf of counsel, It is ordered by the Court that Wilson J. Snyder, Administrator of the said William Daniels, deceased, be, and he is hereby, made the party defendant in error in this cause.

1009. The Postal Telegraph Cable Co. vs. Appellant. The City Council of Charleston, et al. — Mr. Frederic D. McKenney, in behalf of counsel, submitted to the

consideration of the Court a motion for leave to submit this cause on printed arguments to be filed within two weeks for consideration of counsel.

301 The California Powder Works. vs. Plff. in Error. Willis E. Laws, Admr. etc. et al

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. T. Britton, Mr. A. B. Browne & Mr. J. H. Mc. Kune, in support of the same, and Mr. John Garber, Mr. John H. Boalt & Mr. F. C. Bishop, in opposition thereto.

302 The United States. vs. Appellant. David Shea

This cause was submitted to the consideration of the Court, pursuant to the 20th rule on the record, and printed arguments by Mr. Assistant Attorney General Hodge, and Mr. Courtney Robinson of counsel for the appellant & Mr. E. K. Mackey and Mr. J. W. Cutler, jr. of coun-

ed for the appellee.

Charles De Arnaud. This cause was sub-
550 vs. Appellant. mitted to the consid
The United States. eration of the Court,
pursuant to the 20th
rule, on the record and printed arguments
by Mr. H. O. Claughton and Mr. H. J. Lauck,
of counsel for the appellant and by the Solici-
tor General Dodge and Mr. Conway Tay-
lor, of counsel for the appellee.

The United States. This cause was submit-
757 vs. Appellant. ted to the consideration
Charles F. Hutchins. of the Court, pur-
suant to the 20th rule
on the record and printed arguments by
Mr. Assistant Attorney General Hoyt and
Mr. Charles C. Binney, of counsel for the appel-
lant, and Mr. John Paul Jones, of counsel
for the appellee.

The United States. This cause was sub-
779 vs. Appellant. mitted to the consid-
Thomas P. Basham. eration of the Court, pur-

suant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. J. H. Moore, of counsel for the appellant, and Mr. Lewis S. Overton and Mr. C. B. Lancaster, of counsel for the appellee.

The United States. This cause was submitted to the consideration of the Court,
886 vs. Appellant.
Philip R. Hoyer. pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. Peter Cavanagh, of counsel for the appellant, and Mr. John Paul Jones and Mr. [illegible], of counsel for the appellee.

The United States This cause was submitted to the consid-
886 vs. Appellant eration of the Court,
Albert W. Stahl. pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Dodge, & Mr. Peter Cavanagh, of counsel for appellant, and Mr. John Paul Jones, of counsel for appellee.

The Cincinnati Lemon-Lingren Illuminating Company
vs. In Error
The Western Lemons-Lingren Co.

The argument of this cause was continued by Mr. Lowry Jackson, of counsel for the defendant in error, and concluded by Mr. J. W. Worthington of counsel for the plaintiff in error.

Henry Mc Louth
vs. In Error
The Cosmopolitan Water Co.

The argument of this cause was commenced by Mr. Benton Hauchett, of counsel for the plaintiff in error, continued by Mr. H. M. Duffield of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday January 7th, 1873

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. M. Howard it is ordered that J. N. Harris, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney & counsellor of this Court, & he was sworn accordingly.

Ex parte: In the matter of John Bonner..... 8. Original..... Petitioner.

Mr. Solicitor General Maxwell stated that directions had been

grew for the discharge of the petitioner and that it would not be necessary to issue the writ of habeas corpus hereon.

Henry W. Loud.
1894. vs. Pff. in Error.
The Pocasset Land & Water Co.

The argument of this cause was continued by Mr. H. W. Outfield and Mr. R. S. Dickinson, of counsel for the defendant in error, and concluded by Mr. George F. Edmunds, of counsel for the plaintiff in error.

The Singer Manufacturing Co.
1893. vs. Appellant.
The June Manufacturing Co.

The argument of this cause was commenced by Mr. Lawrence Maxwell Jr., of counsel for the appellant.

Court then being ended the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, January, 10th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John B. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that H. G. Mr. Wellis, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Singer Manufacturing Co. Ordered by the Court
196 vs. Appellant. that this case be
George C. Bent. argued with 195.

195: The Singer Manufacturing Co. vs. Appellant.
The June Manufacturing Co. vs.

196: The Singer Manufacturing Co. vs. Appellant.
George P. Bent.

The argument of these cases was continued by Mr. Lawrence Maxwell Jr. of counsel for the appellant, and Mr. J. G. Elliott and Mr. William Henry Brown of counsel for the appellee in No. 195 Mr. C. H. Offield, of counsel for the appellant and Mr. Wallace Heckman, of counsel for the appellee in No. 196, and concluded by Mr. Lawrence Maxwell Jr., of counsel for the appellant

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 11th 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, jr.
Howell E. Jackson.
Associate Justices.

John M. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

The North Chicago Rolling Mill Co.
v. Appellant.
The St. Louis Ore & Steel Co., et al.

177.

This cause was argued by Mr. B. Parmalee Prentice, of counsel for the appellant, and Mr. Henry Hitchcock, of counsel for the appellee.

The Northern Pacific Railroad Company.
198. vs. Plff. in Error
Henry Rue.

This cause was argued by the counsel for the plaintiff in error. No counsel appeared for the defendant in error.

The New Orleans City & Lake Railroad Company.
199. vs. Plff. in Error.
The State of Louisiana ex rel: The City of New Orleans.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. F. Buck, of counsel for the plaintiff in error, and Mr. J. L. Williams, of counsel for the defendant in error.

George L. Foy et al.
201. vs. Appellants.
Catherine A. Foland.

The argument of this cause was commenced by Mr. O. D. Hostetter Jr., of counsel for the appellants.

Proclamation being made the Court is adjourned

Friday, January 12th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David B. Hill it is ordered that George F. Roesch, Esquire of New York City, and Judge W. Greene, Esquire, of Canton, State of New York, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. H. Brown it is ordered that W. C. Silvertoorn, Esquire, of Wausau, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. A. De Armond it is ordered that Robert F. Walker, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

The City of New Orleans. vs. H. W. Benjamin et al. Appellants. 981.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. A. O'Sullivan, Mr. Henry C. Miller and Mr. William A. Maury, of counsel for the appellants, and Mr. J. D. Rouse and Mr. William Grant, of counsel for the appellee

Henry Dunn		On motion to dismiss
1038.	vs.	Pff. in Error.	in this cause was sub-
The State of Missouri.		mitted to the consid-
		eration of the Court

on printed arguments by Mr. Robert E. Walker in support of the same, and Mr. B. M. Hewlett, in opposition thereto.

Charles Mc Dean et al.		This cause was sub-
875.	vs.	Appellants.	mitted to the con-
J. B. Hagerman Collr.		sideration of the
et al.		Court on the re-
		cord & printed

arguments by Mr. Wheeler H. Peckham of counsel for the appellants, and Mr. U. S. G. Beale Mr. Edmund Dauzky and Mr. Horatio S. King, of counsel for the appellees.

Prosper Laurel.		On Error to the Circuit Court
208	vs.	Pff. in Error.	of the United States for the
The United States.		Eastern District of Louisiana.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print

the transcript of the record. It is therefore in pursuance of the 16th rule of this Court, it is here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed

for the Chief Justice Fuller.

George L. Cory et al.		The argument of this
101.	vs. Appellants.	cause was continued
Catherine A. Yolands.		by Mr. O. O. Stocking, Jr.,
		of counsel for the ap-

pellants, and Mr. O. B. Stallcup, of counsel for the appellee, and concluded by Mr. Samuel Shellabarger, of counsel for the appellants.

The State of Tennessee et al.		Ordered by the
1020.	vs. Appellants	Court that
The Union City Banking Co. et al.		three counsel
and		be allowed
The State of Tennessee et al.		to argue these
1021.	vs. Appellants.	cases on be
The Bank of Commerce et al.		half of the
		appellees, and

that they be allowed one hour additional time for the argument.

1020 The State of Tennessee et al. vs. Appellants The Union & Planters Bank et al (No)

1021 The State of Tennessee et al. vs. Appellants The Bank of Commerce et al.

The argument of these cases was commenced by Mr. L. P. Walker, of counsel for the appellants (No) continued by Mr. William H. Carroll, of counsel for the appellees.

On motion the Court is adjourned until Monday next at twelve o'clock.

Monday January 15th 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that James W. Lawrence, Esquire, of Minnesota, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell

It is ordered that Henry C. Mc Pike, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that Charles Inglesby, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. Mc Cammon it is ordered that George F. Duryee and Howard W. Hayes Esquires of Newark, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

Joseph Gottlieb	Appeal from the Circuit Court
125 vs Appellant	of the United States for the
Louis C. Fleetcher.	District of Colorado.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Jackson.

Michael Haughey. vs. Jesse Lee, Lewis S. Lee & Walter Lee, copartners, Trading under the firm-name of Jesse Lee and Sons. 189. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and

the same is hereby affirmed with costs.

per Mr. Justice Shiras.

176 The Thurmond & Birmingham Coal, Iron and Railway Company. vs. Gordon, Strobel & Laureau (Limited) composed of Frederick W. Gordon, Victor C. Strobel, Louis J. Laureau and Thomas G. Boyle. Appellants. Appeal from the Circuit Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Alabama.

per Mr. Justice Brown.

Sept'r T. Hill. — On consideration of the
691 — vs. Jeff. in Error. — suggestion of a diminution
John Corcoran. — of the record and
motion for a writ of er-
ror here, It is now here ordered by the
Court that said motion be, and the same
is hereby, granted.

It is further ordered that the further con-
sideration of the motions to dismiss or affirm
in this cause be, and the same is hereby, post-
poned to the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

The Postal Telegraph Cable Co. — On consid-
1002 — vs. — Appellant. — eration of the
The City Council of Charleston et al. — motion to
leave to sub-
mit this cause on printed arguments to be
filed within two weeks, It is now here or-
dered by the Court that said motion be,
and the same is hereby, granted, and the
cause may be submitted on the 22d in-
stant.

per Mr. Chief Justice Fuller.

George Bailey et al. vs. Appellants
1078. John P. Sundberg.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

In re: In the matter of The Hanover Fire Insurance Company. Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Singer Manufacturing Co.		It is ordered
136.	vs. Appellant	by the Court
The Anne Manufacturing Co.		that this cause
&		be, and the
The Singer Manufacturing Co.		same are hereby
190.	vs. Appellant	by restored to
George P. Bent.		the docket for
		re-argument

before a full bench.

per Mr. Chief Justice Fuller.

George L. Cory, Anna B. Cory,		Appeal from
Charles J. Cory, Ulrica W. Cory		the Supreme
and Ida B. Spaulding.		Court of the
39.	vs. Appellants.	Territory of
Catherine A. Polland.		Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by the Court being equally divided in opinion, by this Court that the decree of the said Supreme Court in this cause be, and the same is

is hereby affirmed with costs.

The State of Iowa. ... On consideration
vs. Original — Complainant. of the motion to
The State of Illinois. vacate the order
entered herein on
the twelfth day of April 1873, confirming the re-
port of the Commissioners appointed to mark
and fix the bound ary line between the State
of Iowa and the State of Illinois filed herein
March 30 1873. and of the argument of coun-
sel thereupon had as well in support of as
against the same, It is now here ordered by
the Court that said motion be, & the same
is hereby, granted. and said order vacated
and set aside so far as it confirmed the re-
port aforesaid.

per Mr. Chief Justice Waite.

The First Wortn City
Company. ... In Error to the Circuit
vs. ... Court of the United
565 ... vs. ... In Error. States for the Northern
The Smith Bridge Co. District of Texas.

This cause came on to be heard on the Tran-

cript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas

per Mr. Chief Justice Taney.

Sam Hickory. In Error to the Circuit Court
vs. of the United States for the
The United States. Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be

and the cause is hereby remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Brewer.

(Mr. Justice Brewer took no part in the consideration and decision of this case).

893 Cleaves N. Worley et al vs. Pffe in Error / David S. Ryan, Secretary of State of the State of Ohio. — Mr. J. K. Richards, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

1051. The Eagle Insurance Co., of Cincinnati, et al vs. Pffe in Error. / The State of Ohio ex rel W. H. Kinder, Superintendent &c. — Mr. J. K. Richards, of Counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Doris Werner.
941. vs. Pff. in Error.
The City Council of Charleston.

The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles Inglesby in support of the same, and Mr. G. Monteiro Woodward, in opposition thereto.

John Stewart et al.
1081. vs. Appellants.
William T. Smith.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit was submitted to the consideration of the Court by Mr. Hector T. Cantu in support of the same.

Thomas H. Mason et al.
1044 vs. Appellants.
Chief Consolidated Mining Co. et al.

On motion of Mr. A. B. Browne, in behalf of counsel, It is ordered by the Court that this cause be, and the same is hereby, advanced & assigned for argument on the first Monday in March next, after the cases heretofore assigned for that day.

The State of Tennessee for the use of The City of Memphis et al. vs. The Bank of Commerce et al. 7161 Appellants

On motion of Mr. J.C. Walker, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced for argument with cases Nos. 1020 and 1021.

The State of Tennessee for the use of The City of Memphis et al. vs. The Bank of Commerce et al. 7161 Appellants.

The State of Tennessee et al. vs. The Union & Planters Bank et al. 1020 Appellants.

The State of Tennessee et al. vs. The Bank of Commerce et al. 1021 Appellants.

The argument of these cases was continued by Mr. William M. Carroll, Mr. J. A. Taylor and Mr. S.R. Burch, of counsel for the appellees, and concluded by Mr. J.C. Walker, of counsel for the appellants

753 The Columbus Southern Railway Co. vs. Pff. in Error. W. A. Wright, Comptroller General, etc.

The argument of this cause was commenced by Mr. William A. Winbish, of counsel for the plaintiff in error. The Court declined to hear further argument.

1001 Autun Calva vs. Pff. in Error. The United States.

The argument of this case was commenced by Mr. Genl. Beall, of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until To-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray. ... Associate
David J. Brewer. ... Justices.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

211 Joel E. Edwards, Collector etc. vs. Pltff in Error. Frederick A. Schroeder et al. Pltffs

212 Elizabeth Hedden, Admx. etc. vs. Pltff in Error. William Robertson.

On motion of Mr Assistant Attorney General Whitney, of counsel for the plaintiffs in error. It is ordered by the Court that these cases be passed, subject

to the provisions of section 7 of Rule 16

210 The Missouri Pacific Railway Co. vs. Plff. in Error. The State of Nebraska ex rel. The Board of Transportation of the State of Nebraska. Ordered by the Court that this cause be, and the same is hereby, continued with the next term, per stipulation of counsel.

207 B. F. Dowell. vs. Plff. in Error. David W. Applegate. Ordered by the Court that this cause be, & the same is hereby, passed.

100 Anton Baker vs. Plff. in Error. The United States. The argument of this cause was continued by Mr. Grant Goode, of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error, and concluded by Mr. E. C. Wickham, of counsel for the plaintiff in error.

Charles E. Murphy.
107. vs Eff in Error.
Elisha D. Packer.

The argument of this cause was commenced by Mr. D. Dickens, of counsel for the plaintiff in error, and continued by Mr. Lewis Cyrus, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The United States.
885 vs. Appellant.
Philip R. Alger.

On motion of Mr. B. B. Lines, of counsel for the appellee, leave is hereby granted him to file a supplemental brief herein.

Clarence M. Clark
372 vs. Appellant.
J. B. Smith.

Appeal from the Circuit Court of the United States for the Western District of Virginia

It appearing to the Court that a motion by counsel for the appellant to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered, adjudged and decreed by this Court that the appeal herein be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Cleveland Fence Co. Appeal
212. vs. Appellant. Ordered by the
The Indianapolis Fence Co. et al. Court that this cause be, and the same is hereby continued with the rest term, per stipulation of counsel.

The Shultz Belting Company. Appeal from the Circuit
213. vs. Appellant. Court of the United States
The Williamson Belting for the Eastern District
Company. of Missouri.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of

this Court, now here ordered, adjudged and decreed by this Court that this appeal be, & the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

216 Herman Royer. Appellant. vs. The Hardy Rolling Company. Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

187 Charles L. Murphy. Plaintiff in Error. vs. Elisha A. Packer. The argument of this cause was continued by Mr. James Lyon, of counsel for

the defendant in error, and concluded by Mr. A. Richetts of counsel for the plaintiff in error.

George W Saulors et ab. vs Pffs in Error William M. Steele

203. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Lewis H. Brown, of counsel for the plaintiffs in error, and Mr. Elon H Brown, of counsel for the defendant in error.

The Imperial Fire Insurance Co. of London. vs Pffs in Error. The County of Cook M. H.

204. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Harry Bingham, of counsel for the plaintiff in error, and Mr. J. A. Bond & Mr. Fletcher Ladd, of counsel for the defendant in error.

Sarah A Chapman et ab. vs Appellants Elizabeth Handley et al.

206. This cause was submitted to the consideration

of the Court on the record and printed arguments by Mr. J. G. Sutherland, of counsel for the appellants, and Mr. C. D. Hoge for Mr. Arthur Brown, of counsel for the appellees.

John A. Buckstaff et al. vs. Pltff. in Error. Russell and Co. 207

This cause was argued by Mr. G. W. Marquett, of counsel for the defendant in error, and submitted on a printed argument by Mr. J. H. Ames, of counsel for the plaintiffs in error.

Edward H. Lewis. vs. Pltff. in Error. George C. Wilson et al 208

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. H. Eaton, of counsel for the plaintiff in error, with leave to counsel for the defendants in error to file a printed argument in one week.

Wm. Wamsley. vs. Pltff. in Error. Ivers Wulff. 211

This cause was submitted to the consideration of the Court

on the record and a printed argument by Wm. Wm. B. Bayberg, of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

Continuation being until the Court is adjourned until to morrow at twelve o'clock

Thursday January 8th 1874.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray
David J. Brewer
Henry B. Brown
George Shiras Jr.
Howell E. Jackson
Associate Justices.

John M. Wright, Esquire, Marshal
James H. Mc. Kenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. M. Cooper it is ordered that John E. Hartridge, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Cultural Ohio Railroad Co. as reorganized et al. vs. The City of Columbus use of Michael Burright et al.

240. In Error to the Supreme Court of the State of Ohio.

It appearing to the Court that a motion by counsel for the plaintiffs in error to dismiss this cause has been filed. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

James Stub. Adm'r, etc. vs. The Phoenix Insurance Co. of Brooklyn.

866. Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George H. Williams of counsel for the appellant, and Mr. L. B. Cox, of counsel for the appellee.

Herman Royer.
217. vs. Appellant. Appeal from the Circuit Court
The Stanly Belting Co. of the United States for the Eastern District of Missouri.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

Patrick Mc. Guire. In Error to the Circuit Court
219. vs Defts in Error of the United States for the
The Variety Iron Works Co. Northern District of Illinois.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the writ

of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

B. F. Dowell
207 vs. Off. in Error
Samuel W. Applegate.

The argument of this cause was commenced by Mr. John H. Fulkerson, of counsel for the plaintiff in error, continued by Mr. J. M. Dorsey, of counsel for the defendant in error, & concluded by Mr. B. F. Dowell in propria persona.

The City of New Orleans.
220. vs. Appellant.
The Louisville & Nashville
Railroad Co. et al.

Ordered by the Court that this cause be, and the same is hereby passed subject to the provisions of section 9, Rule 36.

Adelina B. Hardcastle
Administratrix &c.
221. vs. Off. in Error.
The Pennsylvania R. R. Co.

The argument of this cause was commenced by Mr. M. Thompson Shields, of counsel for the plaintiff in error.

Consideration being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, January, 19th. 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.

Stephen J. Field.

John M. Harlan.

Horace Gray. Associate

Samuel F. Brewer Justices

Henry B. Brown

George Shiras Jr.

Howell E. Jackson.

John W. Wright, Esquire. Marshal.

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. M. Cooper it is ordered that Willis L. Palmer, Esquire, of Orlando, State of Florida be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Carter it is

dered that George W. Wright, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

390. D. D. Wood et al. vs. The Corry Water Works Company et al. Appellants. Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

It appearing to the Court that a motion by counsel for the appellants to dismiss this cause has been filed, Therefore in pursuance of said motion It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

234. Thomas O. Orr et al. vs. Henry Tinken. Appellants. On motion of Mr. W. H. Doolittle, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

The Southern Pacific Railroad Co.
228. vs. Appellant
The United States.

On motion of Mr. J. Hubley Ashton of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 9, Rule 26.

Adelbert B. Marchant Exr. &c.
221. vs. Deft. in Error.
The Pennsylvania Railroad Co.

On motion of this cause was continued by Mr. M. Stump for Todd, of counsel for the plaintiff in error, and Mr. Wayne MacVeagh of counsel for the defendant in error, and concluded by Mr. H. Hampton Todd, of counsel for the plaintiff in error.

Henry Hilton et al.
223. vs. Appellants
Gustave Berlin Guyot et al.
&
Henry Hilton et al.
440 vs. Pffs. in Error.
Gustave Berlin Guyot et al.

On motion of Mr. James C. Carter, of counsel for the appellants & plaintiffs in error, It is ordered by the

Court that counsel on each side be allowed one hour additional time for the argument of these cases.

433 Henry Hilton et ab vs. Appellants ... Gustave Berlin Guyot et ab.
And
440 Henry Hilton et ab. vs. Peffs. in Error ... Gustave Berlin Guyot et ab.

The argument of these cases was commenced by Mr Elihu Root, of counsel for the appellants and plaintiffs in error, and continued by Mr. William C. Choate, of counsel for the appellees and defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January, 22d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown
George Shiras, Jr.
Howell E. Jackson.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wm. Howe Clark it is ordered that C. W. Helvern, Esquire, of Newport, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Pickle it is ordered that

Wm. M. Neal, Esquire, of Brownsville, & H. Smith, Esquire, of Jackson, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion filed in the Court in this behalf by Wm. Edwin B. Smith, it is ordered that Edwin W. Emmet, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Merchants' Cotton Press & Storage Co.

807. vs. Plaintiff in Error.

The Insurance Company of North America et al.

The National Fire Insurance Co. of Connecticut

808. vs. Plaintiff in Error.

The Insurance Company of North America et al.

The Mutual Fire Insurance Company of New York.

809. vs. Plaintiff in Error.

The Insurance Company of North America et al.

The Continental Insurance Company of New York.

810. vs. Plaintiff in Error.

The Insurance Company of North America et al.

The Fire Association of New York

811. ..... vs. ..... Plaintiff in Error

The Insurance Company of North America of Philadelphia et al.

The Liverpool & London & Globe Insurance Co. of England

812. ..... vs. ..... Plaintiff in Error

The Insurance Company of North America of Philadelphia et al.

The Royal Insurance Company, of England

813. ..... vs. ..... Plaintiff in Error

The Insurance Company of North America of Philadelphia et al.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, on separate writs of error, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Tennessee.

..... per Mr. Justice Jackson

The Crescent Mining Company.
180. vs Appellant.
The Wasatch Mining Company.

Appeal from the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

Elijah W. Woodward &c
Frederick B Briggs.
10. vs Appellants.
Nathaniel Wilson.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It

is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby reversed with costs: And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree in favor of the plaintiffs according to their bill for the sum of $[illegible] and adjudging it a lien upon the stock of the Lake Superior Ship Canal Railway and Iron Company remaining in the hands of defendant.

Per Mr. Justice Brewer.

886 The United States, Appellant, vs. Philip R. Alger. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby

reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Gray.

The United States. Appeal from the
886 vs. Appellant. Court of Claims.
Albert W. Stahl.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Gray.

759	John Pointer. vs. Pfff in Error The United States.	In Error to the Circuit Court of the United States for the Western District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

43	Mary J. Varner (formerly Mary J. Greaffe). vs. The Second National Bank of Providence, Rhode Island, Christopher A. Shippee, and Samuel W. K. Allen.	Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decrees of the said Circuit Court on the original and cross-bills in this cause be, and the same are hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Harlan.

888. Ossian D. Ashley et al. vs. Pffs. in Error. Daniel J. Ryan, Secretary of State of the State of Ohio.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Eagle Insurance Company of Cincinnati et al.
1051. vs. Error to
The State of Ohio ex rel. W. H. Kinder, Superintendent &c.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of March next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller

John Stewart et al.
1081. vs. Appellants.
William P. Smith.

On a petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, and of the argument of counsel thereupon had, in support of the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Doris Werner. In Error to the Supreme
94 vs. Pff in Error Court of the State
The City Council of of South Carolina.
Charleston.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Ann Stickies, Executrix of
William W. Stickies, deceased,
vs The Ithaca Consolidated Gold &
Silver Min'g & Mining Company. Appeal from
12 vs. Appellants. the Supreme
Charles S. Pliles, Thomas H. Court of the
Blair & Henry D. Polhemus Territory of
Arizona

This cause came on to be heard on the

transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs, for want of jurisdiction.

per Mr. Chief Justice Fuller.

The California Powder Works. In Error to
301. vs. Peff in Error. the Supreme
Willis E. Davis, Administrator Court of the
of the estate of Isaac E. Davis, de- State of Cal-
ceased, and Henry Corvill. ifornia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and on motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

E. D. Wayward, D. J. Wayward, E. A. Allen, The Salina County Nurseries, by W. H. Cowgill vs. Chas. Steckt

680. Pltffs. in Error

In Error to the Circuit Court of the United States for the District of Nebraska.

The cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on motions to dismiss or affirm, which were argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Charles Moran, Daniel Conyus Moran & Amede D. Moran, co-partners under the firm-name of Moran Brothers. vs. J. B. Hogeman, Administrator of Jerry Schooling, deceased, et al.

873. Appellants.

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

The United States. This cause was sub-
1087. vs. Appellant. mitted to the con-
Annie M. La Bourette, sideration of the
Executrix, etc. Court, pursuant
to the 20th rule,
on the record and printed arguments by Mr. Assistant Attorney General Dodge and Mr. C. C. Binney, of Counsel for the appellant, and Mr Joseph M Stryker, of counsel for the appellee.

The Newport News & Mississippi Valley Co., et al.		On motion of Mr. G. W. Pickle in behalf of counsel
139.	vs. Plff. in Error.	
Martin R. Hendricks, Admr. etc.		

leave is hereby granted the Clerk to issue the mandate in this cause.

Jonathan Lindsay et al.		Mr. G. W. Pickle, of counsel, suggested the death
506.	vs. Plffs. in Error.	
Jane Burgess.		

of Jane Burgess, the defendant in error herein, and moved the Court to make Samuel Burney, Daniel W. Burney, Jr., Thomas E. Burney, Jr., and Ben. Johnson, Jr., a minor, heirs at law of the said Jane Burgess, the parties defendants in error in this cause, per stipulation of counsel. Whereupon, It is now here ordered by the Court that the said Samuel Burney, Daniel W. Burney, Jr., Thomas E. Burney, Jr., and Ben. Johnson, Jr., a minor, heirs at law of Jane Burgess, deceased, be, and they are hereby, made the parties defendants in error herein.

Oscar L. Richard & Bro. vs. Elizabeth Hedden, Administratrix of Edward L. Hedden, deceased, late Collector of the Port of New York

563. Pff. in Error.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called to the attention of the Court by Mr. Edwin B. Smith, of counsel for the plaintiffs in error, and he having moved the Court to dismiss this cause. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The David Bradley Manufacturing Company. vs. The Eagle Manufacturing Co.

1103. Appellants.

The petitions for writs of certiorari in these cases to the United

The Moline Plow Company. States Circuit
1104. vs Appellant. Court of Appeals
The Eagle Manufacturing Co. for the Seventh
Circuit were
submitted to the consideration of the Court
by Mr. C.E Pickard and Mr. L.L. Bond, in
support of the same, and leave was grant-
ed counsel to file a printed argument
in opposition thereto within two weeks.

Michael Moran et al. On motion of
892 vs. Pltff. in Error. Mr Frank O.
Frank O. Sturges, Receiver etc. Sturges, of coun-
sel for the de-
fendant in error, It is ordered by the Court
that this cause be, and the same is hereby,
passed, subject to the provisions of section
9, Rule 26.

The Newport Light Company. The motions to
1022 vs. Plff. in Error. dismiss or af-
The City of Newport et al. firm in this
cause were
submitted to the consideration of the Court
on the record and printed arguments

by Mr. William Lindsay and Mr. Charles J. Helm, in support of the same, and Mr. Wm. Stone Abell, Mr. A. W. Nelson, Mr. J. B. Foraker and Mr. E. O. Ferguson, in opposition thereto.

J. S. Lewis. ... This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. S. Nugent, of counsel for the plaintiff in error, and Mr. Marcellus Green of counsel for the defendant in error.

385 vs. Peff in Error.

O. C. Worson, Executor &c

The Postal Telegraph Cable Co. ... This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. Worthington Thurman and Mr. A. S. Gurney, of counsel for the appellant, and Mr. Charles Inglesby, of counsel for the appellees.

1009 vs. Appellant.

The City Council of Charleston et al.

Henry Hilton et al.
223. vs. Appellants.
Gustave Berlin Guyot et al.
&
Henry Hilton et al.
220. vs. Pepp in Error
Gustave Berlin Guyot et al.

The argument of these cases was continued by Mr. William C. Choate, of counsel for the appellees and defendants in error, and Mr. James C. Carter of counsel for the appellants & plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, January, 23d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

Frederick W. Ulmer et al. Mr. Edwin B.
246. vs. Pffs. in Error. Smith, of coun-
Daniel Magone, Collector etc. sel for the plain-
tiffs in error,
suggested the death of Richard Ulmer, one of the plaintiffs in error herein, and on his motion, It is ordered by the Court that this cause be, and the same is hereby, passed.

223. Henry Hilton et al. vs. Appellants. Gustave Berlin Guyot et al.
and
440. Henry Hilton et al. vs. Plffs in Error Gustave Berlin Guyot et al.

The argument of this case was concluded by Mr. James C. Carter, of counsel for the appellants & plaintiffs in error.

234. The Union Pacific Railway Co. vs. Plff. in Error. Laura George McDonald, by Mary E. McDonald, his next friend.

The argument of this cause was commenced by Mr. O. A. Hackley jr. of counsel for the plaintiff in error, continued by Mr. J. Warner Mills, of counsel for the defendant in error and concluded by Mr. Samuel Shellabarger, of counsel for the plaintiff in error.

235. Sam Lazarus. vs. Plff. in Error. William Walter Phelps.

The argument of this cause was commenced by Mr. Leigh Robinson, of counsel for the defendant in error

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 31st 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Henry B. Brown. Justices
George Shiras Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. L. Russell it is ordered that Irving M. McCoy, Esquire, of Jackson, State of Tennessee, & F. M. Lockwick, Esquire, of Emporia State of Kansas be admitted to practice as attorneys and counsellors of this Court & they were severally accordingly.

Sam Lazarus.
228. vs. Pff. in Error.
William Walter Phelps. The argument of
cause was cond
ed by Mr. Leigh C
rison, of counse
the defendant in error, and the cause
submitted on a printed argument by
Henry C. Cole, of counsel for the plaint
in error.

The Plant Investment Co.
226. vs. Appellant.
The Jacksonville, Tampa & Key West Railway Co. et al. This cause
argued by
John B. Mur
ge, of coun
for the appe
& Mr. C. W. Cooper of counsel for the appel

The Bradley Fertilizer Co.
227. vs. Appellant.
The Schooner 'Edwin J. Mo-
rison' her tackle, etc. This cause
argued by
George A. Ad
of counsel
the appella
and Mr. George Arthur Adams, of coun
for the appellee.

211	1st & B Erhardt Collector &c.	Pltff. in Error.	The argument of this cause was commenced by Lt. Assistant Attorney General Whitney, & closed for the plaintiff in error.
vs.	
Frederick A. Schroeder et al.	

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, January 25th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin L. Smith it is ordered that William C. Fish, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

250. The Missouri, Kansas & Texas Railway Co. vs. B. D. Roberts. Error to the Supreme Court of the State of Missouri.

On motion of Mr. Nelson Case, of counsel for the defendant in er-

ror, leave is hereby granted them to file a supplemental brief herein on or before Thursday next.

Margaret B. Searle et al. vs. Appeal in Error to the
231. Appellants in Error, Circuit Court of
Justus W. Wilcox, Receiver of the United States
the First National Bank of for the District
St. Albans, Vermont. of Vermont.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

James A. Enoch, Administrator, etc. Appeal from the Circuit Court of the United States for the
232. vs. Appellant. Northern District
H. Leman and Isaac Rosenthal, Receivers, etc. of Florida

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Jos. B. Eberhardt, Collector &c. vs. Peff in Error. Frederick A. Schroeder et al.

211. The argument of this cause was continued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. Edwin B. Smith, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error.

Elizabeth Hoddon, Admr. &c. vs. Peff in Error William Roberts &c.

212. This cause was argued by Mr. Assist-

and Attorney General Whitney of counsel for the plaintiff in error, and Mr. Edward C. Smith, of counsel for the defendant in error.

329 John Carew &c. et al. vs. Augustus Russ. Appellants.

The cause was argued by Mr. Briggs & W. Smith, of counsel for the appellants and leave was granted counsel for the appellee to file a printed argument within one week.

Choctaw Time being up the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 26th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Isaac S. Jennings. In Error to the Circuit Court
341. vs. Writ in Error. of the United States for the
Rachel Ann Zaeder. District of New Jersey.

The cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and

adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Mobile & Ohio R.R. Co. Pltf. In motion
1024. vs. Pff. in Error. of Mr. L. W.
The State of Tennessee et al. Pickle, of
counsel for
the defendants in error leave is hereby grant
ed three counsel to argue this cause on be-
half of the defendants in error.

The Mobile & Ohio R.R. Co. et al. This cause
1024. vs. Pffs. in Error was argued
The State of Tennessee et al. by Mr. E. J.
Phelps, of coun-
sel for the plaintiffs in error, and Mr. G. W.
Pickle, Mr. J. W. Caskill and Mr. W. W. Heiskell,
of counsel for the defendants in error.

The Covington and Cincinnati Bridge Co. On motion of
Mr. Lawrence
1025. vs. Pff. in Error. Warwell, Jr.
The Commonwealth of Kentucky. of counsel for

The Covington & Cincinnati Elevated Railroad & Transfer & Bridge Co. vs. The Commonwealth of Kentucky. 1045. Off in Error. by the Court that one hour additional time be allowed counsel on each side for the argument of these cases and that three counsel be allowed to argue the cases on behalf of the plaintiffs in error.

The argument of these cases was commenced by Hon William H. Ramsey, of counsel for the plaintiffs in error in No. 1045.

On motion duly made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 29th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that Thomas J. Storey, Esquire, of Newark, State of New Jersey, James C. McKeen, Esquire, of Chicago, State of Illinois, Edward Bradford Conway, & John M. Mitchell, Esquires, of Concord, State of New Hampshire be admitted to practice as Attorneys & Counsellors of this Court, and they were severally

On motion first made to the Court in this behalf by Mr. P. W. Hall it is ordered that J. Wilson Larkin, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court. and he was sworn accordingly.

The Imperial Fire Insurance Company of London, England. vs The County of Coos, in the State of New Hampshire.

324. Def. in Error. In Error to the Circuit Court of the United States for the District of New Hampshire.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Jackson.

The Columbus Southern Railway Company. — In Error to the
753. vs. — Supreme Court
Pff. in Error. — of the State
William A Wright, Comptroller General of the State of Georgia. — of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Jackson.

The City of Lincoln. — In Error to the Circuit Court
508 vs. — of the United States for
Pff. in Error. — the District of Nebraska.
Margaret J. Power.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in the cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska.

per Mr. Justice Shiras.

Charles McDonald. Appeal from the
C.C. vs. Appellant. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Shiras.

The Galveston, Harrisburg & San Antonio Railway Co. vs. Victor Gonzales. In Error to the Circuit Court of the United States for the District of Texas.

1305 Jeff. in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity to the opinion of this Court.

per Mr. Justice Brown.

Dissenting.

Mr. Justice Jackson &
Mr. Justice Harlan

James Holt, Administrator of Ben Holladay, deceased, vs. Appellant. The Home Insurance Company of Brooklyn.

On appeal & ordered to the United States Circuit Court of Appeals for the Ninth Circuit.

866.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the District of Oregon with directions to set aside the decree entered by that Court and to enter a decree in favor of complainant as prayed for in the amended bill.

per Mr. Chief Justice Fuller.

Henry W. Loud. ... It is ordered by
194 vs. Pet. in Error. the Court that
The Pomona Land & Water Co. the cause be,
and the same
is hereby restored to the docket for reargument
before a full bench.

per Mr. Chief Justice Fuller.

The Woumm Mountain Mining
Company.
181 vs. Appellant. Appeal from the Su-
The Salt Lake Foundry & preme Court of the
Machine Company. Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Sarah A. Chapman Guthrie
Benjamin F. Hawley and Harvey
Hawley.
vs
Elizabeth Hawley, John Hawley,
William H. Hawley, Charles F.
Hawley & Edmund L. Hawley.

Appeal from the Supreme Court of the Territory of Utah.

306

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

The Chief Justice announced that after Friday next the calls of the docket will not be resumed until Monday, March 3d, and that the Court will adjourn on Monday next until Monday, March 6th.

Wedcock Healy
1055. vs. Eff. in Error.
The United States.

Mr. Arthur Lacey of the bar of this court, counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

Yung Shear Low Wey Shun
(Ex) Yung Chung.
1101 vs. Appellants.
The United States.

Mr. Lewis Hanchett, of counsel for the appellee, having filed in open Court the following certificate, to wit:

Circuit Court of the United States.
Eastern District of Michigan.

I, Walter S. Russell, Clerk of the Circuit Court of the United States for the Eastern District of Michigan, do hereby certify that in a certain cause lately pending in said Court entitled In the matter of the petition of Yung Shear, Low Wey Shun and Yung Chung for the allowance of a writ of habeas corpus, an order was entered by the said Circuit Court on the 15th day of August, A.D. 1894, denying said ap-

tition, and that on the same day said petitioners above named prayed an appeal to the Supreme Court of the United States which was allowed and a citation directed to the United States was issued & served.

In testimony whereof I hereunto subscribe my name and affix the seal of the said Circuit Court at Detroit, this 31st day of January, A.D. 1894.

"Walter S. Harsha, Clerk."

And the Court to docket and dismiss this cause, pursuant to the 7th rule: and it appearing to the Court that the appellants have failed to have this cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by the Court that the appeal from the Circuit Court of the United States for the Eastern District of Michigan be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per the Chief Justice Fuller.

moved the Court to docket and dismiss this cause pursuant to the 9th rule: and it appearing to the Court that the appellants have failed to have their cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Michigan be, and the same is hereby, docketed and dismissed: and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

Susan Luxton
vs. Pltf in Error
The North River Bridge Co.

Mr. J. M. Vale submitted to the consideration of the Court a motion for leave to file an intervening petition of John C. Crevier in this cause

10th.

Abre O. Israel.
703. vs. Pff. in Error.
James B. Arthur, Adm'r, etc.

The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. George A. King, in support of the same, and Mr. W. S. Decker and Mr. T. J. O'Donnell in opposition thereto.

The New Orleans City & Lake Railroad Company.
199 vs. Pff. in Error.
The State of Louisiana, ex rel: The City of New Orleans.

On motion of Mr. William A. Maury, in behalf of counsel, It is ordered by the Court that the submission of this cause be vacated and set aside, and that the cause be, and the same is hereby, continued until the next term.

The Steamship "Valencia" etc.
1084 vs. Appellants.
William H. Giegler et al.

Mr. J. H. McCammon, in behalf of counsel for the appellees, submitted to the consideration of

the Court a petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit.

802. Robert Alden Pales. vs. James Mc. Mongle, Jubr. etc. Appellant. On motion of Mr. B. W. Crane, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby, advanced & assigned for argument on Monday, March 19th, 1894.

913. The State of Michigan, ex rel: The Attorney General. vs. The Flint & Pere Marquette Railroad Co., et al. Pff. in Error. On motion to dismiss as this cause was submitted to the consideration of the Court on the record & printed arguments by Mr. W. L. Webber, in support of the same, and Mr. A. A. Ellis in opposition thereto.

The Covington & Cincinnati Bridge Company.

1043. vs. Plff. in Error.

The Commonwealth of Kentucky.

&

The Covington & Cincinnati Elevated Railroad & Transfer & Bridge Co.

1043. vs. Plff. in Error.

The Commonwealth of Kentucky.

On request of these cases were continued by Mr. W. H. Jackson, of counsel for the plaintiff in error no No. 1043.

Mr. William Goebel, of counsel for the defendant in error.

Examination being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday January 30th. 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Covington and Cincinnati Bridge Company.
1025. vs. Pfff in Error.
The Commonwealth of Kentucky.

And

The Covington & Cincinnati Elevated Railroad & Transfer & Bridge Co.
1043. vs. Pff. in Error.
The Commonwealth of Kentucky.

The argument of these cases was continued by Mr. William J. Hendrick, of counsel for the defendant in er-

ror, and concluded by Mr. Lawrence Maxwell, of counsel for the plaintiff in error in No. 1025.

330. The Missouri, Kansas & Texas Railway Co. vs. Peff in Error. B. O. Roberts

This cause was argued by Mr. P. W. Sedgwick, of counsel for the plaintiff in error and submitted on a printed argument by Mr. Wilson Brice, of counsel for the defendant in error.

333. The Steamship "Illinois" etc. vs Appellant. William H. Williams, Master etc.

The argument of this cause was commenced by Mr. Thomas W. Hall, of counsel for the appellant.

Further action may be had in this Court is ordered until to-morrow at twelve o'clock.

Wednesday, January 31st 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, jr.
Howell E. Jackson
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William P. Wilson it is ordered that Kate H. Pier, of Milwaukee, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George B. Hamilton it is ordered that Robert Douglas, Esquire, of

Greenhow, State of North Carolina, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

217. Bernhard Baruch vs. Jeff in Error William H. Robertson, Collector, etc. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

233. The Steamship "Main," etc. vs. Appellants. William H. Williams, Master etc. The argument of this cause was continued by Mr. Brown

W. Hall, of counsel for the appellant, and Mr. J. Wilson Leakin and Mr. John H. Brown, of counsel for the appellee, and concluded by Mr. Thomas W. Hall, of counsel for the appellant.

The Belding Manufacturing Co
vs. Appellant.
The Challenge Corn Planter Co

235. The argument of this cause was commenced by Mr. Taylor E. Brown, of counsel for the appellant, and continued by Mr. Edward S. Taggart, of counsel for the appellee

On motion being made the Court is adjourned until to-morrow at twelve o'clock

Thursday, February 1st, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. McKenney it is ordered that John W. Grill, Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Cornelius Williams. In Error to the Su-
1077 vs. Off in Error. preme Court of the
Way Williams. State of New York

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, therefore, in pursuance of said stipulation, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed

per Mr. Chief Justice Fuller.

W. N. Barnett. In Error to the Circuit Court
250 vs. Jeff. in Error of the United States for the
Beatty of Kansas. Northern District of Texas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, it is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller

The Reading Manufacturing Co. vs. The Challenge Corn Planter Co. Appellants.

335. The argument of this cause was continued by Mr. Edward J. Taggart and Mr. Arthur Stem, of counsel for the appellee, and concluded by Mr. Taylor E. Brown, of counsel for the appellant.

Alfred Crane et al. vs. William Whitten Phelps. Pltff. in Error.

337. This cause was argued by Mr. Leigh Robinson, of counsel for the defendant in error, and submitted on a printed argument by Mr. W. L. Crawford, of counsel for the plaintiffs in error.

The El Paso Water Co. vs. The City of El Paso. Appellants. Appellee.

338. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Warren Leslie Keay, and Mr. W. E. Thompson, of counsel for the appellant, and Mr. W. H. Saunders, and Mr. Leigh Clark, of counsel for the appellee.

The St. Louis & San Francisco Railway Co.

239. vs. Pff. in Error

Gerhard Schumacher.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George B. Rock Mr. Edward D. Kenna, Mr. A. P. Bull, and Mr. O. B. Browne, of counsel for the plaintiff in error, and Mr. A. H. Garland, of counsel for the defendant in error

Henrietta Snell et al.

Admrs., &c.

242. vs. Pff. in Error.

The City of Chicago et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Grant J. Crawford, of counsel for the plaintiffs in error, and Mr. Edward Roby, of counsel for the defendant in error.

Berthold Schlesinger et al.

243. vs. Appellants.

The Kansas City & Southern Railway Co., et al.

This cause was argued by Mr. Grant Hagerman, of coun

sel for the appellants, and submitted on a printed argument by Mr. Charles O. Fickeus, of counsel for the appellees.

William B. Woodlock. In Error. This cause was
344. vs. argued by Mr.
David Magone, Collector, etc. Edwin B. Smith,
of counsel for the plaintiff in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Julius Berbecker et al. In Error. This cause was
345. vs. argued by Mr.
W.H. Robertson, Collector, etc. Edwin B. Smith,
of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until To-morrow at Twelve o'clock.

Friday, February, 2d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan
Horace Gray. Associate
David J. Brewer. Justices
George Shiras Jr.
Howell E. Jackson.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin Butterworth it is ordered that Julian C. Dowell, Esquire of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Mitchell it is o

dered that Robert L. Spence, Esquire, of Montpelier, State of Idaho, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Joseph Inglehart et al. vs. The Washington Loan & Trust Company, Executor, etc. 1414. Appellants. On motion of Mr. J. J. Darlington, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Thomas B. McKittrick. vs. The Arkansas Central Railway Co., et al. 248. Appellant. This cause was argued by Mr. W. W. Cohn, of counsel for the appellants, and submitted on a printed argument by Mr. J. J. Horner, of counsel for the appellee.

The Western National Bank of N. Y. vs. David Armstrong, Receiver etc., 251. Appellant. This cause was argued by Mr. Ed-

Edward Colston, of counsel for the appellants, and Mr. John W. Herron, of counsel for the appellee.

Vandy vs. West.
258. vs. Pff in Error.
William L. Gabell et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. W. Stephens, of counsel for the plaintiff in error, and Mr. A. H. Garland, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 9th, 1874.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Julian S. Jones it is ordered that Thomas C. Chappell, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. H. Bristow it is ordered

that Andrew H. Todd, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Convers it is ordered that Edwin Y. Davis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Elizabeth Holden, Administratrix of Edward L. Holden, deceased, Plaintiff in Error. vs. William Robertson, Collector of the Port of New York. Defendant in Error.

In Error to the Circuit Court of the United States for the Southern District of New York.

212.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said

Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Jackson.

(Mr. Justice Brewer did not hear the argument in this case, and took no part in the decision of the Court).

1022. The Newport Light Company. Plff. in Error. vs. The City of Newport, A. S. Berry, Mayor et al. In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction. per Mr. Justice Jackson.

The United States. Appeal from the
729. vs. Appellant. Court of Claims.
Charles T. Hutchins.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

The Maxwell Land Grant In Error to the Su-
Company. preme Court of
1065. vs. Plff. in Error. the Territory of
John B. Dawson. New Mexico.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the

judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to remand the cause to the District Court of San Miguel County and to order that Court to set aside the verdict and grant a new trial.

per Mr. Justice Brown.

Edward H. Lewis.		In Error to the
208.	v.	Circuit Court
George C. Wilson et al., doing		of the United
business under the name and		States for the
style of The Florida Printing		Northern Dis-
and Publishing Company.		trict of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

no this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

385. J. S. Lewis. vs. Plff. in Error. A. C. Wauson, Executor of David O. Withers, deceased. In Error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

1087. The United States. vs. Appellant. Annie M. La Tourrette, Executrix of James A. M. La Tourrette, deceased. Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed. ——— per Mr. Justice Gray.

John Dower, Harriet Dower, John Doe, Richard Doe, John Penn and Richard Penn. vs. Pltffs. in Error. In Error to the Supreme Court of the State of California.

178. William T. Richards, Francis T. Richards and James Remwallack, Executors of Philip Richards, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

L. C. Darling, Sheriff of Berkley County, West Virginia, Administrator of John W. Martin, dec'd. vs. Pff. in Error
The Baltimore & Ohio Railroad Company.

In Error to the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel On consideration whereof, it appearing to the Court that this cause has abated by reason of the death of the plaintiff, John W. Martin, It is now here ordered and adjudged by the Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Justice Gray.

Dissenting:

Mr. Justice Harlan

George W. Bryan, Joseph O. Miller, William Mc. Miller, Sr., Joseph O. Miller, Trustees of the Methodist Episcopal Church South, of Millersburg, Kentucky, et al. — In Error to the Court of Appeals of the State of Kentucky.

1894. vs

Pltffs. in Error.

The Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church South, et al.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Gustave C. Shauer. — In Error to the Supreme Court of the State of South Dakota.

1894. vs

Pltf. in Error.

R. F. Ateteau.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of South Dakota, & was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of the Territory of Dakota, in this cause be, and the same is hereby, affirmed with costs: and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of South Dakota. per Mr. Justice Harlan.

John O. Buckstaff and John Utt. vs Pepp. in Error. Russell and Company. In Error to the Circuit Court of the United States for the District of Nebraska.

207.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, re-

circuit with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Harlan.

The United States. } On a certificate of division
668. v. } in opinion between the Judges
Michel Thomas } of the Circuit Court of the
United States for the West-
ern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion agreeably to the act of Congress in such cases made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the offence committed was within the limits of the reservation within the meaning of

the Act of Congress, approved March 3, 1885, so as to give the Federal Courts jurisdiction of the cause: and that the motion to set aside the verdict and for a new trial should be denied. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Field.

Susan Linton. vs. Pelf. in Error. The Northern Pacific Railroad Co.

1040. On consideration of the motion for leave to file the intervening petition of John C. Crevier in this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted: the petitioner thereupon to give notice to counsel in the cause that the application referred to in said petition will be made.

per Mr. Chief Justice Fuller.

The Steamship "Valencia" etc. vs. Appellant. William H. Ziegler et al. Claimants.

1054. On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit to bring up the entire record in the cause now pending therein on certificate, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Enfield Bradley Manufacturing Company.
v. Appellant.
The Eagle Manufacturing Company.

1103. On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Atlas Nor. Coal Company. — Appellant.
vs.
The Eagle Manufacturing Company.

1104.

On petition for a writ of Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of Counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, & the same is hereby denied.

Per Mr. Chief Justice Fuller.

Henry Hietow et al. — Appellants.
vs.
Gustave Berlin Engel et al.
&
Henry Hietow et al
vs
Gustave Berlin Engel et al.

223.
1470.

It is ordered by the Court that these cases be, & the same are hereby restored to the docket for re-argument before a full bench.

per Mr. Chief Justice Fuller

The New York & New England Railroad Company. vs. The Town of Bristol, Henry W. Gridley et al.

In Error to the Supreme Court of Errors of the State of Connecticut.

No. 147 Sup. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Order.

It is ordered by the Court that mandates issue in all cases decided prior to the first day of January, 1894, where applied for except case No. 14 and cases dismissed and dismissed under the 7th rule.

per Mr. Chief Justice Fuller.

Order.

The Reporter having represented that, owing to the number of decisions at the term, it will be impracticable to put the opinions in one volume, it is therefore, now ordered that he publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

per Mr. Chief Justice Fuller.

Yung Shea et al. vs. The United States. — Appellants. — On motion of Mr. Solicitor General with consent for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

1104

William M. Bennett vs. Pittsburg Gas Co. and George Harbaugh. — Wm. J. H. Mitchell, of counsel for the plaintiff in error, submitted to the consideration of the Court a suggestion of a diminution of the record and a motion for a writ of certiorari in this cause.

347

George Taylor.
1088. vs. Appellant.
The Girard Life Insurance, Annuity & Trust Company, of Philadelphia.

Mr. Walter H. Smith, of counsel for the appellee, suggested the death of George Taylor, the appellant in this cause, and moved the Court for an order, under the 15th rule, to make the proper representatives parties: Whereupon, It is now here ordered by the Court that unless the proper representatives of the said George Taylor, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, that appellee shall be entitled to have the appeal dismissed: Provided, however, That a copy of this order shall be printed in some newspaper of general circulation in the District of Columbia for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

The Steamship "Wauhuset," Libelant, Appellant.
1115. vs.
Peter Nelson.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court by Mr. E. B. Convers, in support of the same and Mr. Edwin G. Davis in opposition thereto.

William P. Halliday, Appellant
25. vs.
Robert W. Hunter & Julian L. Jones, Executors, et al.

Mr. Julian L. Jones, of Counsel for the appellees, submitted to the consideration of the Court a motion to modify the decree entered herein by this Court.

Anne Cropper et al.
711. vs. Appellants in Error.
Abby K. Woodlane et al.

Def.

Anne Cropper et al.
792. vs. Appellants in Error.
Abby K. Woodlane et al.

The motions to dismiss in these cases were submitted to the consideration of the Court on printed arguments by Mr. Enoch Totten

and Mr. J. Hubley Ashton, in support of the same, and Mr. J. M. Wilson and Mr. Blair Lee, in opposition thereto.

Richard H. Simms. vs. John F. Cook, Devisee and Trustee. 1117. Appellant. Appellee.

Mr. Coleman Carlisle, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Court of Appeals of the District of Columbia.

I, Robert Willett, Clerk of the Court of Appeals of the District of Columbia, do hereby certify that in a certain cause pending in said Court wherein John F. Cook, Devisee & Trustee, was appellant, and Richard H. Simms was appellee, a final decree was rendered by said Court of Appeals on the fourth day of December, A.D. 1893, in favor of said appellant and against said appellee, and that on the eleventh day of December A.D. 1893, said appellee prayed an appeal to the Supreme Court of the United States, which was duly allowed.

In testimony whereof I here-

to subscribe my name and affix the seal of said Court of Appeals of the District of Columbia, this fifth day of
(Seal.) February A.D. 1894, at the City of Washington, District of Columbia.

"Robert Willett."

moved the Court to docket and dismiss this cause pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have this cause filed and docketed in conformity with the rules of this Court, It is now here ordered, adjudged and decreed by this Court that this appeal from the Court of Appeals of the District of Columbia be, and the same is hereby, docketed and dismissed with costs: and that this cause be, and the same is hereby, remanded to the said Court of Appeals to be proceeded in according to law and justice.

per Mr. Chief Justice Fuller.

No. 1344 Central Pacific Railway Co. Plff in Error vs. The People of the State of California Defendant in Error. Writ of Error.

No. 1345 Central Pacific Railway Co. Plff in Error vs. The City & County of San Francisco Defendant in Error. Writ of Error.

No. 1346 Central Pacific Railway Co. Plff in Error vs. The City & County of San Francisco Defendant in Error. Writ of Error.

No. 1347 Central Pacific Railway Co. Plff in Error vs. The People of the State of California Defendant in Error. Writ of Error.

On motion of Mr. H. J. May, of counsel for the plaintiffs in error, leave is hereby granted to the Clerk to issue the writs of error in these cases.

No. 1344 Central Pacific Railway Co. On motion of Mr. [illegible] Plff in Error [illegible] of counsel for the plaintiffs in error, [illegible] submitted to the consideration of the Court on the record and printed arguments by Mr. H. J. May, counsel in support of the writ, and Mr. Jackson D. Phillips, Attorney General of the State of California, in opposition thereto, and on motion of Mr. H. J. May, counsel for the plaintiffs in error, it is ordered that the writ of error be dismissed with costs.

No. 1345 Central Pacific Railway Co. On motion of Mr. [illegible] Plff in Error [illegible] of counsel for the plaintiffs in error, [illegible] submitted to the consideration of the Court on the record and printed arguments by Mr. H. J. May, counsel in support of the writ, and Mr. Jackson D. Phillips, Attorney General of the State of California, in opposition thereto, and on motion of Mr. H. J. May, counsel for the plaintiffs in error, it is ordered that the writ of error be dismissed with costs.

Monday February 5th 1894 Continued

on error, submitted to the consideration of the Court a motion to advance this cause

Herbert Keaty. vs. Off'r in Chge The United States

The Plaintiff in Error by his Att'y of record for the February Term 1894 submitted to the Court motion of the Court assigned by the Court to advance the cause should not be granted.

Herbert Keaty vs. Off'r in Chge The United States

Consideration of the motion to advance the cause on the docket of this Court it is ordered by the Court that the said motion be and the same is hereby granted and the Court will proceed to argument on the third Monday of March next after the cause stands for assigned for that day.

per Mr. Chief Justice Fuller

Otis F. Presbrey et al. vs. Appellants. Eppa Hunton

Appeal from the Supreme Court of Colorado

136 The Texas & Pacific Railway Co. Pff in Error v. J. W. Griffin et al
137 The Texas & Pacific Railway Co. Pff in Error. v. B. S. Cockrell.
138 The Texas & Pacific Railway Co. Pff in Error. v. G. R. Johnson.
139 The Texas & Pacific Railway Co. Pff in Error. v. Adolph Hirsh.

On motion of Mr. H. J. May, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandates in these cases.

785 The Texas & Pacific Railway Co. v. Abby Gentry et al. Pff in Error. The motions to dismiss or affirm in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. C. H. Garland, in support of the same, and Mr. John F. Kellam, Mr. W. L. Bruce and Mr. O. D. Duncan, in opposition thereto, and in support of the motion to amend the writ of error herein.

735 William Gregory v. The Board of Directors, &c. Pff in Error. Mr. C. B. Bowman, in behalf of counsel for the defendants

in error, submitted to the consideration of the Court a motion to advance this cause

Michael Healy. vs. The United States. 1035. Pff in Error. Mr. Frederic D. McKenney, of counsel for the plaintiff in error, submitted to the consideration of the Court reasons why the motion to advance in this cause should not be granted.

Michael Healy. vs. The United States. 1035. Pff. in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the third Monday of March next after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Otis F. Prasbury et al. vs. Effie H. Kline. 767. Appellants. Appeal from the Supreme Court of the District of Columbia.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned until Monday, March 5th, next, at twelve o'clock.

Monday, March, 5th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Goode it is ordered that William O. Goode, Esquire, of Warsaw, and James H. Fletcher, Jr., Esquire, of Accomack, State of Virginia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lochren it is or-

dered that Armstrong Taylor, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. T. Hilborn it is ordered that James A. Johnson, Esquire, of Oakland, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Poe it is ordered that Thomas S. Hodson, Esquire, of Crisfield, and Allan McLane, Esquire, of Baltimore, State of Maryland, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Augustus R. Lawrence vs The Florence Oil Company.
50. vs. Appellants.
The Colorado Oil Company.

Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the decree and dismiss the bill.

per Mr. Justice Shiras.

James Coleman and
Theodore H. H. McPherson. Appeal from the
109 vs. Appellants. Court of Claims.
The United States.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Shiras.

The Southern Pacific Company. In Error to the
119. vs. Pff. in Error. Supreme Court
Isabella Seley, as Administra- of the Territo-
trix of the estate of William tory of Utah.
H. Seley, deceased.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to award a new trial.

per Mr. Justice Shiras.

The Northern Pacific Rail-road Company. ... Plff. in Error.
188. ... vs. ...
Sam Everett, Administrator of William J. Everett, deceased. ... Deft. in Error.

In Error to the Circuit Court of the United States for the District of North Dakota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of North Dakota.

per Mr. Justice Shiras.

The Belding Manufacturing Company. ... Appellant.
235. ... vs. ...
The Challenge Corn Sheller Company. ... Appellee.

Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

(Mr. Justice Gray was not present at the argument and took no part in the decision of this case)

Sam Lazarus. In Error to the Circuit Court
225 v. Pff. in Error. of the United States for the
William Wister Peaps. Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause be, and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

per Mr. Justice Brown.

Alfred Rowe, H. U. Rowe and B. O. Rowe. vs. Pltffs in Error. William Walter Phelps.

237. In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Justice Brown.

The Steamship "Maine", &c. Claimant, Appeal from the
Nord Deutsche Lloyd, } Circuit Court of
233. vs. Appellant. } the United States
William H. Williams, Master } for the District
of the Steamship "Montana". } of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

The St. Louis & San Francisco In Error to the Circuit
Railway Company. } Court of the United
239. vs. Pff. in Error. } States for the Western
Gerhard Schumacher. } District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western

District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

George W. Lawton and Frank C. Mullin ..... vs. ..... William W. Steele.

In Error to the Supreme Court of the State of New York.

203 Peffs. in Error.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Dissenting:

Mr. Chief Justice Fuller.
Mr. Justice Field, and
Mr. Justice Brewer.

Mary P. Miller, Heiress of Jason H. Miller, deceased. Pltff. in Error. vs. Dominic H. Courtney. In Error to the Circuit Court of the United States for the District of Nebraska.

157

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Montana Company Limited, Plff. in Error, vs. Rawlins and T. Bayliss, General Manager. Deft. in Error. } In Error to the Supreme Court of the State of Montana.

167. The St. Louis Mining & Milling Company.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Cincinnati Siemens-Lungren Gas Manufacturing Company, Plff. in Error, vs. The Western Siemens-Lungren Company. Deft. in Error. } In Error to the Circuit Court of the United States for the Southern District of Ohio.

173. This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum, that such similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Brewer.

El Paso Water Company. ..... Appeal from the Circuit Court of the United States
538. vs. Appellants. for the Western Dis-
The City of El Paso. trict of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want

of jurisdiction.

per Mr. Justice Brewer.

Henrietta Lueb et al Albert J. Stone, Administrators of the estate of Amos J. Lueb deceased, et al. vs. The City of Chicago, et al Commissioners of the Department of Public Works of the City of Chicago.

342. In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Brewer.

The United States, Appellant. vs. Daniel Shea.

396. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

Dissenting:
Mr. Chief Justice Fuller
Mr. Justice Jackson.

Anton Baku. In Error to the District
1001. vs. Def. in Error Court of the United States
The United States. for the District of Kansas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is here-

by. affirmed.

per Mr. Justice Brown.

Charles W. Shively.		In Error to the
787.	vs.	Supreme Court
	Pff. in Error.	of the State of
John L. A. Bowlby and		Oregon.
W. W. Parker.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Gray.

W. G. Prosser, Eugene Semple, & F.		Appeal from
Garrison, Frank Pickett & W. C.		the Circuit
Hunsaker as members of the Board		Court of the
of Harbor Line Commissioners, Pet.		United States
837.	vs.	for the Dis
The Northern Pacific Railroad		trict of Wash
Company.		ington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill without prejudice.

per Mr. Justice Gray.

(Mr. Justice Harlan and Mr. Justice Jackson were not present at the argument and took no part in the decision of this case).

149. John Dunlap, James Dunlap and John Dunlap, Jr. copartners as J. Dunlap and Sons. v. Benjamin Schofield, Jr. Edward G. Mason & George W. Schofield, copartners as Schofield, Mason & Co.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Gray.

John Carns Jr., Louis C. Opler, Minnie Counts, Edwin Drury, and Henry Wulff, County Clerk.
v. Appellants.
Augustus Russ.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

229.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It

is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

The Union Pacific Railway Company, Plff. in Error, vs. David George McDonald, by Mary E. McDonald, next friend.

No. 234. In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Colorado.

per Mr. Justice Harlan.

	The United States	In Error to
135.	vs.	the Circuit
	Peff in Error.	Court of the
	The Northern Pacific Railroad	United States
	Company, The Willamette Iron	for the District
	Mills Lumbering & Manufactur-	of Oregon.
	ing Co. Julius Ordway et als.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the United States, upon the special finding of facts.

per Mr. Justice Harlan.

The Louisville, Evansville and St. Louis Railroad Company.		In Error to the Circuit Court of the United States for the District of Indiana.
191.	vs. Pff. in Error.	
George Clarke, Executor of Augustine Clarke, deceased.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments have in the Courts of the State of Indiana.

per Mr. Justice Harlan.

William M. McBroom.		In Error to the Supreme Court of the Territory of New Mexico.
1028.	vs. Pff. in Error.	
The Scottish Mortgage and Land Investment Company of New Mexico, Limited.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

B. F. Dowell. In Error to the Supreme
209 v. Pff. in Error. Court of the State of
David W. Applegate. Oregon.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in

conformity with the opinion of this Court.

per Mr. Justice Harlan.

Dissenting:

Mr. Justice Field.

Burkhold Schlesinger & Sebastian B. Schlesinger, partners doing business under the firm-name & style of Hayden & Company. v. Appelbaum. The Kansas City & Southern Railway Company, The Kansas City & Construction Company et al.

Appeal from the Circuit Court of the United States for the Western District of Missouri.

2113

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The Johnson Company. In Error to the Cir-
111. vs. Off. in Error. cuit Court of the
William Wharton, Junior, & United States for
Company, Limited, to the use the Eastern Dis-
of William Wharton, Junior trict of Pennsylva-
& Company, Incorporated. nia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Harlan.

Silas P. Kirg. Appeal from and
169. vs. Appellant, & Off. in Error. In Error to the
The Amy & Silversmith Consol- Supreme Court of
idated Mining Company. the State of Montana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to enter a judgment in favor of the plaintiff for a decree of partition of the non consolidated claims between the parties to the suit, who are owners as tenants in common, provided such partition can be made with due regard to the respective rights of the owners, and if it cannot be thus advantageously made, that the premises be sold and the proceeds divided according to their rights: and further that the respective parties render an account of the proceeds received by them, respectively, from the non-consolidated claims, and that such proceeds be divided between

them according to their respective rights.

per Mr. Justice Field.

The Missouri, Kansas and Texas Railway Company.		In Error to the Supreme Court of the State of Kansas.
230	vs.	
B. D. Roberts.	Pff. in Error.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to take further proceedings in accordance with the opinion of this Court.

per Mr. Justice Field

	The Plant Investment Company.		Appeal from the
326.	v.	Appellant.	Circuit Court
	The Jacksonville, Tampa and Key		of the United
	West Railway Company, and The		States for the
	Trustees of the Internal Improve-		Northern Dis-
	-ment Fund of the State of Florida.		trict of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, at the costs of the appellant: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to dismiss the bill for want of jurisdiction and without prejudice

per Mr. Justice Field.

William Keegan.
735 vs. Pff. in Error.
The Board of Directors of the Modesto Irrigation District.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term.

per Mr. Chief Justice Fuller.

William P. Halliday.
25. vs. Appellant.
Robert W. Heuler & Julian S. Jones, Executors &c., et al.

On consideration of the motion to modify the decree entered herein by this Court, It is now here ordered by the Court that said motion be, and the same is hereby, denied: and it is further ordered that said motion be, and the same is hereby, stricken from the files.

per Mr. Chief Justice Fuller.

The Mobile & Ohio Railroad Company et al.

1004. vs. Pffs. in Error.

The State of Tennessee, et al.

The Covington & Cincinnati Bridge Company.

1025. vs. Pff. in Error.

The Commonwealth of Kentucky.

The Covington & Cincinnati Elevated Railroad and Transfer and Bridge Company.

1043. vs. Pff. in Error.

The Commonwealth of Kentucky.

It is ordered by the Court that these cases be, and the same are hereby, restored to the docket for re-argument before a full bench.

per Mr. Chief Justice Fuller.

The Steamship "Manhasset," her engines etc. Thomas L. Evans, Claimant

1115. vs. Appellant

Peter Nelson.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Cir-

cuit, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Hutchinson Investment Company, of Hutchinson, Kansas and L. B. Hilder, vs. Peffo. in Error. John Caldwell

In Error to the Supreme Court of the State of Kansas.

190.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

The United States.

132. vs. Appellant. Appeal from the
James W. Patterson et al., Court of Claims.
Executors etc.

This cause having been called to the attention of the Court by Mr. Solicitor General Maxwell, of counsel for the appellant, and he having moved the Court to dismiss this cause, Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States. On motion of Mr.
1070. vs. Appellant. Solicitor General Max-
Sidney S. Bridgeon. well, of counsel for
the appellant, It is
ordered by the Court that this cause be,
and the same is hereby, advanced and
assigned for argument on Monday next.

The United States.
1120. vs. Appellant.
The Trans-Missouri Freight Association et al.

Mr. Solicitor General Maxwell, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

The United States.
1129. vs. Appellant.
The Union Pacific Railway Company et al.

Mr. Solicitor General Maxwell, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

The United States.
1135. vs. Pff. in Error.
Charles B. Allen.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit was submitted to the consideration of the Court by Mr. Solicitor General Maxwell, in support of the cause.

	The United States	The petition for a
1136.	vs. Appellant.	writ of certiorari
	The Steamship "Haytian	herein to the United
	Republic", etc.	States Circuit Court
		of Appeals for the

Ninth Circuit was submitted to the consideration of the Court by Mr. Solicitor General Maxwell, in support of the same, with leave to Mr. J. H. Mitchell to file printed argument in opposition thereto on or before Friday next.

	The Virginia Buffalo Lithia	Appeal from the Circuit
	Springs Company,	Court of the United
467.	vs. Appellant.	States for the Eastern
	Thomas F. Goode.	District of Virginia.

This cause having been called to the attention of the Court by Mr. Wm. A. Maury, of counsel for the appellee, and a stipulation of counsel to dismiss this cause having been filed, Therefore, in pursuance of said stipulation, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

J. Easton Seymour. On motion of Mr.
163 vs. Pff. in Error. H. M. Teller, in be-
The Hide and Spur Gold half of counsel, it
Mine, (Limited). is ordered by the
Court that this
cause be, and the same is hereby, passed
to be heard with case No. 284, as our case,
when that case is reached in regular call.

Henry M. Lamb. On motion of Mr.
194. vs. Pff. in Error. H. M. Duffield, of
The Pomona Land and counsel for the de-
Water Co. feudant in error,
It is ordered by the
Court that this cause be, and the same
is hereby assigned for re-argument on
Monday, April 9th next.

The Pittsburg, Cincinnati & On motion to
St. Louis Railway Co. et al. advance this
1112. vs. Appellants. cause was
The Keokuk & Hamilton Bridge submitted to
Company. the consider-
ation of the
Court by Mr. Perry Trumbull, in support

of the same, and Mr. George Hoadly, in opposition thereto.

The State of California. vs. Complainant. Southern Pacific Company. On motion of Mr. W. H. H. Hart, of counsel for the complainant, leave is hereby granted to file an amended bill of complaint herein.

The State of California. vs. Complainant. Southern Pacific Company. Mr. James A. Johnson, submitted to the consideration of the Court a motion of the City of Oakland, for leave to intervene in this cause, on which leave was granted Mr. W. H. H. Hart, of counsel for the complainant, to file a printed brief in opposition thereto within three days.

The Pittsburgh, Cincinnati, Chicago and St. Louis Railway Co. vs. Complainant. Victor M. Backus, Treasurer et al. Defendants. Mr. A. T. Smith, of counsel for the defend-

847.

900. The Indianapolis & Cincinnati R.R. Co. vs. Peff. in Error. Victor M. Backus, Treasurer, et al. and The Cincinnati, Chicago and St. Louis Railway Co. 908. vs. Peff. in Error. Victor M. Backus, Treasurer.

Writs of error, submitted to the consideration of the Court a motion to assign a day for the argument of these cases.

5-5 The Fort Worth City Company vs. Peff. in Error. The Swift Bridge Company.

On motion of Mr. A. H. Garland, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

1080 Henry Starr. vs. Peff. in Error. The United States.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr. Assistant Attorney General Conrad, of counsel for the

defendants in error, with leave to counsel for the plaintiff in error to file a printed argument on or before the 15th instant.

1102. Morris Belz. vs. Plff. in Error. The United States. Mr. John G. Fay, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

1078. The Missouri Pacific Ry. Co. vs. Plff. in Error. Osmond Ross, Administrator, &c. The motion to dismiss in this cause was submitted to the consideration of the Court on the record and a printed argument by Mr. John G. Watson, in support of the same.

1044. Artemus Roberts. vs. Plff. in Error. W. F. Lewis. Mr. John A. Watson, in behalf of counsel submitted to the consideration of the Court a motion to advance this cause.

The United States.
1066. vs. Appelbaum.
A. Klingenberg.

On motion of Mr. W. Wickham Smith, of counsel for the appellee, It is ordered by the Court that this cause be, and the same is hereby advanced, pursuant to the 32d Rule.

Max Schoenfeld et al.
1067. vs. Pffs. in Error.
Francis Hendricks, Collector &c.

On motion of Mr. W. Wickham Smith of counsel for the plaintiffs in error, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to the 32d Rule.

Max Schoenfeld et al.
1067½. vs. Pffs. in Error.
Francis Hendricks, Collector &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. Wickham Smith, of counsel for the plaintiffs in error, and Mr. Solicitor General Maxwell of counsel for the defendant in error.

		Mr. Armstrong
122	vs. Appellant.	Taylor, of counsel
	Joseph B. Crawn, Sheriff &c.	for the appellant, submitted

to the consideration of the Court a motion to advance this cause.

	The Pennsylvania Railroad Company et al.	On motion of Mr. William A. McKenney, in behalf of counsel, It
260.	vs. Plffs. in Error.	is ordered by
	Thomas W. Jones.	the Court
	And	that these
	The Pennsylvania Railroad Company et al.	cases be, and
261.	vs. Plffs. in Error.	the same
	Charles T. Stewart.	are hereby, passed, subject to the provisions

of section 9 of Rule 26.

	Ex parte: In the matter	Mr. L. A. Bailey,
	of John McGraw.	of counsel for the
	Petitioner.	petitioner, sub-

mitted to the consideration of the Court a motion for

leave to file a petition for a writ of mandamus herein.

The United States.
1087 vs. Appellant
Annie M. La Fourrette,
Executrix, etc.

On motion of Mr. W. H. H. McPherson in behalf of counsel for the appellee leave is hereby granted the Clerk to issue the mandate in this cause

Milton L. Burr.
685. vs. Def. in Error
Moran Brothers Co
and
Jacob E. Adams.
375. vs. Appellant
The Tacoma Land Co.

On motion of Mr. J. H. Mitchell, of counsel, It is ordered by the Court that these cases be, and the same are hereby, passed. On motion of Mr. W. C. Jones, It is ordered by the Court that the State of Washington have leave to intervene and file printed brief herein.

Milton L. Burr.
683. vs. Def. in Error.
Moran Brothers Co.

On motion of Mr. Josiah H. Parsons, leave is hereby granted him

to file a printed brief herein.

Quando Chaves et ab. vs. The United States et ab. and The Pueblos of Zia, Santa Ana and Jemez. vs. The United States et ab.

1029. 1030. Appellants

Mr. William B. Earle, of counsel for the appellants, submitted to the consideration of the Court motions to advance these cases.

The Home Safety Boiler Company. vs. The Smith Steam Water Heater & Purifier Co.

591. Appellant.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Fuller.

The Heine Safety Boiler Company.
391. vs. Appellant.
The Anheuser-Busch Brewing Association.

Appeal from the Circuit Court of the United States for the Eastern Division of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Heine Safety Boiler Co.
391. vs. Appellant.
The Lucius Pond Water Heater and Purifier Co.

and

The Heine Safety Boiler Co
392. vs. Appellant.
The Anheuser-Busch Brewing Association.

Ordered by the Court that the same be, and the same is hereby, granted the Clerk to issue the mandates in these cases.

544. John H. Drake et ux. vs. The Kimberly Rock Blasting Company. Appellants. Appeal from the Circuit Court of the United States for the Southern District of New York.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged & decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

750. Russell Hunkley et al. vs. The Commonwealth of Massachusetts. Pffs. in Error. Ordered by the Court that these cases be, and the same are hereby, re assigned for argument on

&

751. Benjamin A. Plumley. vs. The Commonwealth of Massachusetts. Pff. in Error.

Monday, April, 2d next.

G. S. Starkey
126. vs. Pff. in Error.
Nelson Burnbaum.

vs

G. S. Starkey.
127. vs. Pff. in Error.
Charles Engelhardt.

On motion of Mr. B. W. Perkins for the plaintiff in error, it is ordered by the Court that these causes be, and the same are hereby, passed for the day.

Thomas St. Clair.
1062. vs. Pff. in Error.
The United States.

vs

Herman Sparf et al.
1085. vs. Pffs. in Error
The United States.

These causes are submitted to the consideration of the Court on the records and printed arguments by Mr. G. J. Kieran, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

Robert L. Wheatlow.
1054. vs. Appellant.
John H. Wise, Sheriff etc.

On motion of Mr. John P. Poe, of counsel for the appellant, leave is hereby.

granted to them counsel to argue this case for each side.

Robert L. Wharton.
1068 vs. Appellant.
John H. Wise, Sheriff &c.

The argument of this cause was commenced by Mr. Thomas S. Hodson, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 6th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell, it is ordered that Clarence E. Nourse, Esquire, of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Mitchell, it is or-

dered that Willis Sweet, Esquire of Moscow and Selden B. Kingsbury, Esquire of Boise City, State of Idaho, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

C. S. Starkey. ..... In Error to the Su-
126 vs. Pff. in Error preme Court of the
Wilson Burnham. State of Kansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

C. S. Starkey. In Error to the Su-
127 vs. Pff. in Error. preme Court of the
Charles Englehart. State of Kansas.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The State of California. Complainant
9. Original vs.
Southern Pacific Company. Defendant.

On motion of Mr. J. Hubley Ashton, of counsel for the defendant, leave is hereby granted to file the answer of the defendant to the amended bill of complaint herein.

Florine O. Austin, Admx., etc. Appellant.
259. vs.
The United States. Appellee.

On motion of Mr. John C. Ray, of counsel for the appellant, It is ordered by the Court that this cause be, and the same is hereby,

passed, subject to the provisions of section 9 of Rule 26.

888. Ossian D. Ashley et al. vs. Plffs. in Error. Daniel J. Ryan, Secretary of the State of the State of Ohio. et al. On motion of Mr. Lawrence Maxwell, Jr., of counsel, it is ordered by the Court that these cases be, and the same are hereby, passed, subject to the provisions of section 9 of Rule 26.

1051. The Eagle Insurance Company of Cincinnati, et al. vs. Plffs. in Error. The State of Ohio ex rel: W. H. Kinder, Superintendent etc.

357. The Crimmins Mill Canal & Stock Company. vs. Plff. in Error. Alex. Toponce. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. W. Bennett and Mr. John A. Marshall, of counsel for the plaintiff in error, and Mr. James H. Kimball, of counsel for the de-

feudant in error.

Robert L. Wharton.
1051. vs. Appellant.
John H. Wise, Sheriff etc.

The argument of this cause was continued by Mr. Thomas L. Hodson, and Mr. Bradley G. Johnson, of counsel for the appellant, and Mr. James H. Belcher Jr. Mr. William A. Jones, Mr. Walter B. Hayden and Mr. R. Taylor Scott, of counsel for the appellee, and concluded by Mr. John L. Wise, of counsel for the appellant.

The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Company.
899. vs. Pff. in Error.
Victor M. Bachus, Treasurer &c.

The Indianapolis & Cincinnati R.R. Co.
900. vs. Pff. in Error.
Victor M. Bachus, Treasurer &c.

The Cleveland, Cincinnati, Chicago and St. Louis Railway Co.
908. vs. Pff. in Error.
Victor M. Bachus, Treasurer.

On consideration of the motion to assign a day for the argument of these causes,

It is now here ordered by the Court that the cases be, and they are hereby, assigned for argument on Monday the 26th inst.

per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March, 7th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. B. Whitney it is ordered that Stanley Walker Dexter, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. L. Bond it is ordered that Thomson Jay Hudson, Esquire,

of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. W. Duffield it is ordered that William A. Stone, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

Thomas A. Mason et al. vs. Appellants. The Pewabic Mining Co. et al. — Ordered by the Court that this cause be, and the same is hereby, passed, subject to the provisions of section 7 of Rule 36.

1041.

The Missouri Pacific Railway Co. vs. Pff. in Error. Oswald Bauer, Admr. &c. — On motion of Mr. O. O. Duncan, leave is hereby granted counsel for the plaintiff

1078.

to have to file a printed brief in opposition to the motion to dismiss herein on or before the 19th inst. inst.

The Virginia Buffalo Lithia Springs Company. vs. Appellant. Thomas G. Goode. 457.

On motion of Mr. William A. Maury, of counsel for the appellee,

leave is hereby granted the Clerk to issue the mandate in this cause.

Roland H. Smith et al. vs. Appellants. The Pittsburgh Gas Co. 265.

On motion of Mr. W. A. Stone, in behalf of counsel,

It is ordered by the Court that this cause be, and the same is hereby, passed for the present.

James Hampden Robb et al. Trustees. vs. Appellants. Augustus Von. 252.

This cause was argued by Mr. Edward Colston, of counsel for the appellants and Mr. Thomas S. Wallace, Mr. A. B. Fulton, of counsel for the appellee.

Proclamation being made the Court

Thursday, March, 8th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hamilton Wallis it is ordered that William O. Edwards, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Church it is

ordered that Frederick D. Church, Esquire, of Rochester, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Fisher it is ordered that Alexander K. Robertson, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

S. W. Huntley et. al. vs. Plffs. in Error. Kingman & Company.

256. Mr. John J. Weed, of counsel for the plaintiffs in error, suggested the death of S. W. Huntley, one of the plaintiffs in error, and moved the Court that the cause proceed in the names of the surviving plaintiffs in error, S. W. White, James Rennie, Samuel Paul, and J. J. Suter. Whereupon, It is now here ordered by the Court that this cause proceed in the names of S. W. White, James Rennie, Samuel

Cook, and J. J. Sallee, the surviving plaintiffs in error.

D. Cullen et al. for himself and others. ... In Error to the Supreme Court
367 vs. Deft. in Error. of the State of
The Odd Fellows Savings California.
Bank et al.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

E. S. Mills. In Error to the Circuit Court
270 vs. Deft. in Error. of the United States for the
Lewis P. Winston. Eastern District of Virginia.

This cause having been called for hear-

ing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Gates Iron Works
253. vs. Appellant.
David R. Fraser et al.

This cause was argued by Mr. L. L. Coburn, of counsel for the appellant, and Mr. L. L. Bond, of counsel for the appellee.

The City National Bank
of Fort Worth.
264. vs. Appellant.
R. D. Hunter.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. I. H. Harband and Mr. H. J. May, of counsel for the appellant, and Mr. H. M. Pollard, of counsel for the appellees.

The Morgan Envelope Co.
351. vs. Appellant.
The Albany Perforated Wrapping Paper Company et al.

The argument of this cause was commenced by Mr. Hill with Church for counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March 9th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
} Associate Justices

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. M. Pollard it is ordered that Charles F. Jay, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of California. } On motion of
v. Original. } Mr. J. Hubley
Southern Pacific Company. } Attorney of com-

sel for the defendant, leave is hereby granted him to file suggestions on the part of the defendant in regard to the motion of The City of Oakland for leave to intervene herein.

William M. Bennett. On motion of Mr.
344. vs. Pff. in Error. J. H. Mitchell, of coun-
George Hackerader. sel for the plaintiff in error, leave is hereby granted him to file a supplemental brief on the motions for a writ of certiorari herein.

Ellis Abram. In Error to the Circuit Court
345. vs. Pff. in Error. of the United States for the
Lewis P. Winston. Eastern District of Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is here-

by, dismissed with costs.

per Mr. Chief Justice Fuller.

William L. Royall. In Error to the Circuit Court
272 vs. Pff. in Error. of the United States for the
John H. Christy. Eastern District of Virginia.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William L. Royall. In Error to the Circuit Court
273 vs. Pff. in Error. of the United States for the
Samuel C. Greenhow. Eastern District of Virginia.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have

failed to print the transcript of the record. It is therefore, in pursuance of the 6th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Morgan Envelope Co. v. Appellant.
554. The Albany Perforated Wrapping Paper Company et al.

The argument of this cause was continued by Mr. Melville Church, of counsel for the appellant, and Mr. Bert Bowen, of counsel for the appellees, and concluded by Mr. Charles E. Mitchell, of counsel for the appellant.

A. H. Robertson, Trustee. Appellant.
555. vs.
Samuel M. Chapman et al.

The argument of this cause was commenced by Mr. A. H. Robertson, of counsel for the appellant, & continued by Mr. George B. Hamilton, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at

Monday, March 12th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field
John M. Harlan
Horace Gray, Associate
David J. Brewer, Justices
Henry B. Brown
George Shiras, Jr.
Edward D. White

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Edward D. White appeared and produced the following Letters Patent and oaths of Office, which were read in open Court and ordered to be recorded upon the minutes, viz:

Grover Cleveland,
President of the United States of America.
To all who shall see these Presents, Greeting:
Know ye: That reposing special trust and

confidence in the Wisdom. Uprightness and Learning of Edward Douglass White, of Louisiana, I have nominated, and by, & with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Edward Douglass White, during his good behavior.

In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

(Seal)

Given under my hand at the City of Washington the 19th day of February in the year of our Lord one thousand eight hundred and ninety-four, and of the In-

dependence of the United States of America the one hundred and eighteenth.

Grover Cleveland.

By the President:
Richard Olney,
Attorney General.

I, Edward Douglass White, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Edward Douglass White.

Subscribed and sworn to
before me this 12th day of
March, A.D. 1894.

Melville W. Fuller.
Chief Justice of the United States.

I, Edward Douglass White, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God.

Edward Douglass White.

Subscribed and sworn
to before me this 12th day
of March, A.D. 1894.

James H. McKenney.
Clerk of the Supreme Court
of the United States.

On motion first made to the Court in this behalf by Mr. Hamilton Wallis it is ordered that Robert W. Hawkesworth, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. A. Brown it is ordered that Charles G. Cox, Esquire, of New York City, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. A. Gatchell it is ordered that George E. Curtis, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. Joseph H. Outwaite it is ordered that James W. Powell, Esquire, of Lancaster, and Dan Dandy, Esquire, of Columbus, State of Ohio, be admitted to practice as attorneys and counsellors of this Court & they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. William A. Murray it is ordered that Robert C. Umbel, Esquire,

of Uniontown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Western National Bank of New York. Appeal from the Circuit Court of
251. vs. Appellant. the United States
David Armstrong, Receiver of for the Southern
The Fidelity National Bank. District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

The Keokuk & Western Rail road Company.		In Error to the	
182.	vs.	Aff'in Error.	Supreme Court
The State of Missouri at the relation of William H. Wine, Collector.			of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Dissenting: Mr. Justice Harlan.
Mr. Justice Brewer.

The Keokuk & Western Rail road Company.		Appeal from the Cir	
183.	vs.	Appellant.	cuit Court of the
The County Court of Scotland County, Missouri, et al.			United States for the Eastern Dis trict of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Harlan &
Mr. Justice Brewer.

The Keokuk & Western Railroad Company.		Appeal from the Circuit Court
414.	v. Appellant.	of the United
The County Court of Scotland County, Missouri, Benjamin P. Bourn,		States for the Eastern District
as Collector &c., et al.		of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued

by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

James McConstable et al. vs. Appellants. The National Steamship Company, Limited.

21. It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re-argument and assigned for the first Monday of April next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Henry Hilton et al. vs. Appellants. Gustave Berlin Huyck et al.

225. It is ordered by the Court that these cases be, and the same are hereby, assigned for argument, as one

Henry Hilton et al. vs. Piff. in Error. Gustave Berlin Huyck et al.

1110.

case, on the first Monday of April next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Richard P. Barlow et al. vs. Pffs. in Error. The Northern Pacific R.R. Co. 613. It is ordered by the Court that this cause be, and the same is hereby, assigned for argument on the first Monday of April next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

William M. Bennett. vs. Pff. in Error. George Hackrader. 347. On consideration of the suggestion of a diminution of the record and motion for a writ of certiorari herein, It is now here ordered by the Court that said writ of certiorari be, and the same is hereby, awarded forthwith.

per Mr. Chief Justice Fuller.

The Texas & Pacific Railway Company.
985 vs. Pffs. in Error.
Mary Gentry et al.

On consideration of the motion to amend the writ of error herein, It is now here ordered by the Court that said motion be, & the same is hereby, granted; and it is further ordered that the further consideration of the motions to dismiss or affirm herein be, and the same is hereby, postponed to the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Anne Cropper et al.
991. vs. Pffs. in Error.
Abby N. Mc Kane et al

and

Anne Cropper et al.
992. vs. Pffs. in Error.
Abby N. Mc Kane et al.

It is ordered by the Court that the further consideration of the motions to dismiss in these cases be, & the same is hereby, postponed to the hearing of the cases on their merits.

per Mr. Chief Justice Fuller.

Amado Chaves et al. vs. Appellants.
1027. The United States et al.
And
The Pueblos of Jia, Santa Ana and Jemez. vs. Appellants.
1030. The United States et al.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted and the cases assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day. per Mr. Chief Justice Fuller.

Artemas Roberts vs. Pltf. in Error
1044. Walter F. Lewis.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause advanced as under the 32 rule, to be submitted on printed briefs.

per Mr. Chief Justice Fuller.

Morris Blitz.
1102. vs. Pff. in Error
The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of April next, after the cases first for assigned for that day.

per Mr. Chief Justice Fuller.

The Pittsburgh, Cincinnati & St. Louis Railway Co. et al.
1112. vs. Appellants.
The Keokuk & Hamilton Bridge Company.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted and the cause advanced as under the 3d rule, to be submitted on printed briefs.

per Mr. Chief Justice Fuller.

The United States.
1120. vs Appellant.
The Kansas-Missouri Freight Association et ab.

and

The United States.
1124. vs. Appellant.
The Union Pacific Railway Co., et ab.

On consideration of the motions to advance these cases, It is now here ordered by the Court that said motions be, and the same are hereby, granted, and the cases assigned for argument on the second Monday of April next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Waite.

The United States.
1135. vs. Plff. in Error.
Charles R. Allen.

On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the arguments of

counsel in support of the same. It is now here ordered by the Court that said petition be, & the same is hereby, granted.

per the Chief Justice Fuller.

The United States.
v. Appellant.
The Steamship "Haytian Republic," etc.

1136 On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, granted.

per the Chief Justice Fuller.

Ex parte: In the matter of John Mc. Greene. Petitioner.

On consideration of the motion for leave to file a

petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The State of California. Complainant.
v. Original.
Southern Pacific Company.

On consideration of the motion of The City of Oakland, to be joined by intervention as co complainant in this cause, It is now here ordered by this Court that said motion be, and the same is hereby, denied, but leave is given to said City to file briefs accompanied by such documents & maps illustrative of its alleged title, as it may be advised.

per Mr. Chief Justice Fuller.

Abbie A. Israel. In Error to the
103. vs. Pff in Error. Supreme Court
James B. Arthur, Administrator, etc. of the State of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on motions to dismiss or affirm, which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

The State of Michigan ex rel:
The Attorney General. In Error to the
913. vs. Pff. in Error. Supreme Court
The Flint & Pere Marquette Rail- of the State of
road Company, William W. Crapo, Michigan.
Trustees, & Alfred W. Newton.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in

this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

Harry Duncan vs. The State of Missouri. — Pff. in Error. — In Error to the Supreme Court of the State of Missouri.

1056.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

William B. Waddock vs. Daniel Magone, Collector of the Port of New York. — Pff. in Error. — In Error to the Circuit Court of the United States for the Southern District of New York.

1111.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

Julius Berbecker, John J. Henderson & Thomas Morris. vs. William H. Robertson, Collector of the Port of New York.

245. In Error to the Circuit Court of the United States for the Southern District of New York.

Appeals in Errors.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

The United States.
952 vs. Appellant.
James M. Patterson et al.,
Executors etc.

On motion of Mr. Solicitor General Maxwell, of counsel for the appellant, leave is hereby granted the Clerk to issue the mandate in this cause.

The Newport Light Co.
1022. vs Pff. in Error.
The City of Newport et al.

On motion of Mr. William Lindsay, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The Sheffield & Birmingham Coal, Iron & Railway Co.
176. vs. Appellant.
Gordon, Strobel & Laureau.

The motion for an order granting the Clerk leave to issue the mandate in this cause was submitted to the consideration of the Court by Mr. C. C. Brickell, and Mr. W. A. Gunter, in support of the same and Mr. H. B. Tompkins, in opposition thereto.

Ella U. Hardenbergh et al. vs. Pltffs. in Error. Thomas L. Ray et al.

113

On motion of Mr. J. H. Mitchell, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the mandate in this cause.

Emma J. Gonzales. vs. Appellant. E. W. French et al.

960.

Mr. S. P. Luckell of counsel for the appellant, submitted to the consideration of the Court a motion for a new citation to the appellees herein.

The State of California. Complainant. vs. Southern Pacific Company.

9. Original.

On motion of Mr. U. M. M. Noel, of counsel for the complainant, leave is hereby granted to file a supplication herein.

The State of California. Complainant. vs. Southern Pacific Company.

9. Original.

Mr. U. M. M. Noel, of counsel for the complainant, submitted.

to the consideration of the Court a motion in reference to the taking of testimony herein, and for the assignment of a day for the hearing of the cause.

1010. Lucas Ludlow. vs. Plff. in Error. The Worth River Bridge Co. The petition of John B. Crowell for leave to intervene in the cause for the purposes of submitting a motion to dismiss was submitted to the consideration of the Court by Mr. J. M. Vale, in support of the same, and Mr. Gilbert Collins, of counsel for the plaintiff in error, and Mr. J. O. Beale, of counsel for the defendant in error in opposition thereto, with leave to all parties to file additional affidavits within one week.

508. Robert Alden Gales. vs. Appellant. James Mc. Monagle, Jailor etc. Appeal from the Circuit Court of the United States for the District of New Jersey.

It appearing to the Court that a stipulation of counsel for the respective

parties to dismiss this cause from filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

277. The Taylor Manufacturing Company. Appellant. v. W. J. Hatcher and Co. Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Davis Sewing Machine Company. — Appeal from the Circuit Court of the United States for the Southern District of New York.

277. vs. Appellant.

The Hat Sweat Manufacturing Company.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 17th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

O. H. Robertson, Trustee. — The argument of this cause was

255. vs. Appellant. — concluded by

Samuel W. Chapman et al. — Mr. William A.

Fisher, of counsel for the appellant.

E. M. White et al. — This cause was ar-

256. vs. Pipe in Error. — gued by Mr. John J.

Kingman & Company. — Ward, of counsel

for the plaintiffs in error. No counsel appeared for the defendants in error.

William Crutchfield et al. Returns &c.
266 ——— vs. Pefs. in Error.
Santiago J. Burnham, use of
Francisco V. Medianilla.

The argument of this cause was commenced by Mr. Hamilton Wallis, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, March, 13th, 1894

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. P. Conger it is ordered that C. D. Farwell, Esquire, of Seattle, State of Washington, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Rumble et al. Admrs. etc. vs. Plffs. in Error.
266. Saulsbury J. Burnham, use of Francis T. Hackworth.

The argument of this cause was continued by the Hamilton

Wallis, of counsel for the plaintiffs in error and Mr. Frederic R. Coudert, of counsel for the defendant in error, and concluded by Mr. William D. Edmunds, of counsel for the plaintiffs in error.

Thomas Lyons et al. vs. Appellants.
267. James B. Woods Sheriff, et al.

This cause was submitted to the consideration of the Court on the record and a printed argument by Mr W. B. Childers, of counsel for the appellants. No counsel appeared for the appellees.

Engelbert Hardt et al. vs. Appellants.
268. Sigismund Heilbroner et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. O. H. Perry, Mr. C. O.

Brown, Mr. Charles E. Pope, and Mr. S.G. Tatem, of counsel for the appellants, and Mr. C.H. Remy, of counsel for the appellee.

Anthony F. Lucking. Collector etc. vs. Plff. in Error. Leopold Schlesinger et ab. 2711.

This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and leave was granted counsel for the defendants in error to file a printed argument on or before the 16th instant.

The United States. vs. Appellant. Sidney L. Bridges. 1070.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Maxwell, of counsel for the appellant, & Mr. A.K. Wilson, of counsel for the appellee.

Martha Brooks et ab. vs. Appellants. George W. Smith et ab. 275.

This cause was argued by Mr. George A. Pillsbury, of counsel

for the appellants, and submitted on printed arguments by Mr. B. F. Merrick Sr., Mr. B. W. Watson, Mr. E. H. Barnes, Mr. B. F. Jones, and Mr. E. B. Knittle, of counsel for the appellees.

165. The Union Pacific Railway Co. vs. Wilson F. Snyder, Admr., etc. Plff. in Error.

This cause was argued by Mr. Arthur F. Mellen, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. Arthur Brown, of counsel for the defendant in error.

892. Michael Morau et al. vs. Frank O. Sturges, Receiver etc. Plffs. in Error.

The argument of this cause was commenced by Mr. R. C. Bancker, of counsel for the plaintiffs in error.

Pro clamation having made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

382. John Dobson and James Dobson. vs. Appellants. Fannie C. Graham, Executrix etc. Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to

print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

283 Harry C. Mc. Carty et al. vs. The Lehigh Valley R.R. Co. Appellants. Ordered by this Court that this cause be, and the same is hereby, continued until the next term per stipulation of counsel.

286 The Consolidated Electric Light Co. vs. The Mc. Keesport Light Company. Appellant. Ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation of counsel.

287 William Maxwell vs. Mary O'Donnell. Appellant. Appeal from the Supreme Court of the Territory of Utah.

This cause having been called for hearing in its regular order and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

U. S. Amadore. Appeal from the Circuit Court
Byp. vs. Appellant. of the United States for the
John G. Boyreau et al. Northern District of California.

This cause came on to be heard on the transcript of the record, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

Michael Moran et al.
892. vs. Pffs. in Error
Frank O. Sturges, Receiver etc.

On motion of Mr. de L. Berrien, leave is hereby granted this day to file a printed brief herein, on behalf of Reading Valley Coal Company & the United States Marshal.

Michael Moran et al.
892. vs. Pffs in Error
Frank O. Sturges, Receiver etc.

The argument of this cause was continued by Mr. James M. Colton, of counsel for the defendant in error, and concluded by Mr. R. K. Benedict, of counsel for the plaintiffs in error.

Henry Herriman et al.
280. vs. Pffs. in Error
W. H. Robertson, Collector etc.

This cause was argued by Mr. Edwin B. Smith, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

Robert P. Wilcox, Piltz &c. This cause was
351. vs. Pff. in Error. argued by Mr.
The Equitable Life Assurance Charles B. Alex-
Society of the U. S. ander, of counsel
for the defendant in error, and submitted on a
printed argument by Mr. Frank L. Richard-
son, of counsel for the plaintiff in error.

Seabury & Johnson. The argument of this
355. vs. Appellants. cause was commenced
Charles C. Van Zandt. by Mr. Edwin H.
Brown, of counsel for
the appellants, and continued by Mr. C. E.
Briesen, of counsel for the appellee, and
Mr. W. F. W. Willis, of counsel for appellants.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Thursday, March 15th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Stephen M. White it is ordered that T. C. Gibbons, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is or-

Ad. Hurd Cowell Brown, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Frederick Waterman
393 vs. Appellant.
G.B. Conklin et al.

Ordered by the Court that this cause be, and the same is hereby, continued per stipulation of counsel.

Seabury & Johnson.
386. vs. Appellants.
Charles V. Du Cuno.

The argument of this cause was concluded by Wm. W. Goodrich, of counsel for the appellants.

J. Taylor Seymour.
363. vs. Appellee.
The Mine & Spur Gold Mines, Limited.

The Mine & Spur Gold Mines, Limited.
384. vs. Appellant.
Ellen R. Seymour et al.

These cases were argued by Mr. Harvey Riddle, of counsel for the Mine & Spur Gold Mines, Limited, & by Mr. Willard Gates, of counsel for Seymour et al.

William B. Boyle et ab.
291. ——— vs. Pepp. in Error.
Daniel Wagner, Collector &c.

This cause was argued by Mr. Everit Brown, of counsel for the plaintiffs in error, and Mr. Assistant Attorney General Whitney, of counsel for the defendant in error.

The British Steamship "Wanderer" &c.
293. ——— vs. ——— Appellants.
Ichabod Willey et ab.

This argument of this cause was commenced by Mr. J. Hubley Ashton, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March, 16th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. K. Davis it is ordered that Stephen R. Howard, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

W. L. Miller et al. | On motion of Mr.
143 vs. Appellants. | N. A. Goulmin of
The Eagle Manufacturing | counsel for the ap-
Company. | pellant, leave is
hereby granted the
Clerk to issue the mandate in this cause.

The Northern Pacific R.R. Co. | On motion of
357 vs. Deft. in Error. | Mr. L. H. Tho
J. L. Patterson, County Treasurer etc | mas of counsel
et | for said Plaintiff
The Northern Pacific R.R. Co. | in error by the
1045 vs. Appellants | Court that
A. J. Clark, County Auditor etc. | these causes
| be, and the
causes are hereby, re-assigned for argument
on the first Monday of April next after the 16th.

W. J. Huskins. | In Error to the Cir-
303 vs. Deft. in Error. | cuit Court of the
The Cincinnati, New Or- | United States for
leans & Texas Pacific | the Eastern Dis-
Railway Co. | trict of Tennessee.

This cause having been called for hear-

ing in the regular order, and it appearing to this Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Charles E. Simmons, Trustee, et al		Ordered by the Court
303	vs. Appellants.	that these
The Burlington, Cedar Rapids & Northern Railway Co., et al.		cases be, and they
		are hereby
The Burlington, Cedar Rapids & Northern Railway Co., et al.		continued un-
304.	vs. Appellant.	til the next
Charles E. Simmons, Trustee.		term for
		stipulation
		of counsel.
The Lake Superior Ship Canal, etc.		On motion of
305.	vs. Pff. in Error.	Mr. A. M. Dar-
Walter A. Cunningham.		land, in be-

The Lake Superior Ship Canal Railway & Iron Co.
306. ——— vs. ——— Def. in Error.
Hugh Quinn.
&
Michael Donahoe.
307. ——— vs. ——— Def. in Error.
The Lake Superior Ship Canal Railway and Iron Co.

Brief of counsel. It is ordered by the Court that the cases be and the same are hereby continued until the next term, for stipulation of counsel.

The British Steamship "Martello" etc.
293. ——— vs. ——— Appellants.
Ichabod Willey et al.

The argument of this cause was continued by Mr. J. Hubley Ashton, of counsel for the appellants, and Mr. W. G. Hendricks, of counsel for the appellee, and concluded by Mr. J. Hubley Ashton, of counsel for the appellants.

Joseph F. Denham.
294. ——— vs. ——— Appellant.
The Dennison Manufacturing Company.

The argument of this cause was commenced by Mr. Charles E.

Cox, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o' clock

Monday March 19th 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras Jr.
Edward D. White.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that Thomas J. Luther-land, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in

this behalf it is ordered that Walter P. Sexton, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Logan it is ordered that John O. Lindsay, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Needham it is ordered that E. F. Thompson, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic C. McKenny it is ordered that Albert L. Crooks, Esquire, of Fargo, State of North Dakota, be admitted to practice as an attorney and coun-

sellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Hiram R. Pickett, Esquire, of Albuquerque, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Jennings it is ordered that Stephen S. Jewett, Esquire, of Laconia, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Charles G. Murphy. — In Error to the Circuit Court
107 — vs. — Deft. in Error. — of the United States for the West
Elisha A. Packer. — ern District of Pennsylvania.

This cause came on to be heard on the manuscript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

(Mr. Justice White not hearing from a member of the Court when this case was argued, took no part in the decision).

The Morgan Envelope Company. Appeal from the Circuit Court of the United States for the Northern District of New York.

v. Appellant.

The Albany Perforated Wrapping Paper Company & Seth Wheeler.

This cause came on to be heard on the manuscript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

(Mr. Justice White not having been a member of the Court when this case was argued took no part in the decision).

John Halstead. Appeal from the Circuit Court
128. vs. Appellant. of the United States for the
A.G. Grimwade et al. District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Brewer.

(Mr. Justice White not having been a member of the Court when this case was argued took no part in the decision).

The Corinna Mill. Co. Stock Company
v. Plff in Error
Otis Mill & Elevator Co.

In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Mr. Justice White not having been a member of the Court when this cause was argued took no part in the decision).

885 The United States, Appellant, vs. Philip P. Rogers.
886 The United States, Appellant, vs. Alfred H. Stubbs.

On consideration of the petitions for rehearing in these cases, It is now here ordered by the Court that said petitions be, and the same are hereby, denied.

per Mr. Justice Gray.

(Mr. Justice White not having been a member of the Court when these cases were decided took no part in the decision of these petitions).

The State of Tennessee for the County of Shelby. vs. Appellants. The United States Trust Co. & Planters' Bank, J. P. Read & W. A. Williamson.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

1020.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed: and costs in this Court to be paid by the appellants: and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction.

(Mr. Justice White not having been a member of the Court when this case was argued took no part in its decision).

The State of Tennessee and The County of Shelby.		Appeal from the Circuit Court of the United States for the Western District of Tennessee.
1021.	vs.	
The Bank of Commerce, J. A. Ouberg & J. F. Burgisser.	Appellants.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court to be paid by the appellants: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill for want of jurisdiction.

per Mr. Justice Gray.

Monday March 17th 1884. Continued.

(Mr. Justice White not having been a member of the Court when this case was argued took no part in its decision).

The State of Tennessee, for use of the City of Memphis vs The City of Memphis ..... Appellants.
The Bank of Commerce & J. A. Craig.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

761.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to remand it to the State Court from which it was removed.

per Mr. Justice Gray.

Dissenting:

(Mr. Justice White not having been a member of the Court when this case was argued took no part in its decision).

364. The City National Bank of Fort Worth, vs. R. D. Hunter, O. T. Evans & W. P. Rush, partners under the firm name of Hunter, Evans & Co. Appellant.

Appeal from the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Harlan.

(Mr. Justice White not having been a member of the Court when this case was argued took no part in the decision).

Thomas C. McElrath. Appeal from the
548. vs Circuit Court of
The Arkansas Central Railway the United States
Company, The Arkansas Mid- for the Eastern
land Railroad Company, & District of Ar-
The Union Trust Company. kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

(Mr. Justice White not having been a member of the Court when this case was argued took no part in the decision).

The Chief Justice announced that as Friday next would be Good Friday the Court would adjourn from Thursday until Monday next.

122. Wilson & Ex rel. &c. Plff in Error, vs. The United States.
123. Wilson & Evans, Plff in Error, vs. The United States.

It is ordered by the Court that these cases be, and the same are hereby, assigned for re-argument on the second Monday of April next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Emma J. Youngs. On consideration of
vs. Appellant. the motion for a new
E. W. Bruce et al. citation to the appellees herein, It is now
here ordered by the Court that said motion be, and the same is hereby, granted, said citation to be made returnable sixty days from date.

per Mr. Chief Justice Fuller.

The United States. Appeal from the United States
vs. Appellant. Circuit Court of Appeals for
Thomas P. Barnum. the Eighth Circuit.

This cause came on to be heard on the

transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals and of the Circuit Court of the United States for the Eastern District of Missouri in this cause be, and the same are hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Chief Justice Waite.

The Covington & Cincinnati Bridge Company.
1025. vs. Plff. in Error.
The Commonwealth of Kentucky.
And
The Covington & Cincinnati Elevated Railroad & Transfer Co. Bridge Co.
1043. vs. Plff. in Error.
The Commonwealth of Kentucky.

Mr. Lawrence Maxwell Jr., of counsel for the plaintiff in error in No. 1025, submitted to the consideration & determination of the Court on

motion to assign a day for the argument of these cases.

The New York & New England Railroad Co. — Pff. in Error. — On motion of Mr. J. J. Jennings, of counsel for the defendant in error, leave

717. vs. The Town of Bristol et al.

is hereby granted the Clerk to issue the mandate in this cause.

The United States et al. — Appellants. — Mr. Francis C. Fletcher, of counsel for the appellee, submitted to the consideration of the Court a

1093. vs. Charles Journeycake, principal chief of the Kickapoo Indians.

motion to advance this cause.

The Great Western Telegraph Co. — Pff. in Error. — Mr. Francis J. Sutherland, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

728. vs. Hiram Purdy.

The Great Western Telegraph Co. vs. Barbara Burnham et al. — Pffs. in Error. — Mr. Thomas J. Sutherland, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

805.

Victor Meyer et al. vs. Walter G. Richards. — Pffs. in Error. — Mr. H. L. Lazarus of counsel for the defendants in error submitted to the consideration of the Court a motion to assign a day for the argument of this cause.

568.

The Pennsylvania R.R. Co. et al. vs. Thomas W. Jones. — Pffs. in Error. — Mr. William A. Cook, of counsel for the defendants in error, submitted to the consideration of the Court motions to restore these cases to the call.

260.

The Pennsylvania R.R. Co. et al. vs. Charles G. Stewart. — Pffs. in Error.

261.

The Mobile & Ohio R.R. Co. et al. On motion
1004. vs. Bfts. in Error. of Mr. Frank
The State of Tennessee et al. W. Hackett,
in behalf
of counsel, It is ordered by the Court that
this cause be, and the same is hereby, as-
signed for argument on the 16th day of
April next.

Lavinia Augusta Arnold et al. On petition
1152. vs. Appellants. for a writ
Charles A. Theobroughs et al. of certiorari
herein to
the United States Circuit Court of Appeals
for the Second Circuit was submitted to
the consideration of the Court on printed
arguments by Mr. Roger Foster, Mr. Joseph
H. Choate and Mr. J. H. V. Arnold, in support
of the same, and Mr. Walter S. Logan, in
opposition thereto.

The People of the State of New York. On motion to ad-
1063. vs. Appellants. vance this cause
John A. Eno. was submitted to
the consideration

of the Court by Mr. John C. Lindsay in support of the same, and Mr. George Biss, in opposition thereto.

The United States. The petition for a writ
1133. vs. Appellant. of certiorari herein
Ewing & Mantelow Co. to the United States
Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on a printed argument by Mr. L. P. Watkins, Mr. W. W. Kneeley and Mr. Charles A. Ray, in support of the same.

Roland H. Smith et al. Consideration of
265 vs. Appellants. Mr. William C.
The Pittsburgh Gas Co. Stone, in behalf of counsel, it is ordered by the Court that this cause be, and the same is hereby, continued until the next term.

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	United Asbestos Keyes et ab.		Appeal from
3.	vs.	Appellants.	the Circuit Court
	The Pueblo Smelting & Refining Co.		of the United
			States for the
	The Pueblo Smelting & Refining Co.		District of
1894.	vs.	Appellants.	Colorado.
	Winfield Scott Keyes et ab.		

It appearing to the Court that a stipulation signed for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged & decreed by this Court that these appeals be, and the same are hereby, dismissed.

per Mr. Chief Justice Fuller.

	The Consolidated Patents Company et ab.		Appeal from the Cir-
			cuit Court of the
308.	vs.	Appellants.	United States for
	James E. Barney, & The Nat-		the District of
	ional Ventilating Co.		Massachusetts.

This cause having been called for hearing in its regular order and it appearing to

the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 16th rule of this Court now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

William Coupe et al. vs. Sept. 1st Circ. Herman Boyer et al.

311.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term per stipulation of counsel.

Joseph T. Dunham vs. Appellants. The Louisville Manufacturing Company.

294.

Argument of this cause was continued by Mr. Charles F. Dorr, of counsel for the appellants, and Mr. William W. Swan, of counsel for the appellee, and concluded by Mr. Charles F. Dorr, of counsel for the appellants.

A. P. Seeberger, Collector &c.
395. vs. Pff. in Error.
John Schuyler.

A. P. Seeberger, Collector &c.
396. vs. Pff. in Error.
David Castro.

Jesse Spalding, late Collector &c.
397. vs. Pff. in Error.
D. Castro.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney Gen'l Whitney, of counsel for the plaintiffs in error. No printed argument filed for the defendants in error.

Joseph B. Sargent et ab.
398. vs. Appellants.
James C. Covert.

This cause was argued by Mr. John K. Beach, of counsel for the appellants, and Mr. H. A. Eastman, of counsel for the appellee.

Stephen A. Valli et ab.
399. vs. Appellants.
Howard D. Troop et ab.

The argument of this cause was commenc-

Monday, 12th March, 1888, 10½ o'clock. Curtain...

ent by Wm. H. Lindsay Clerk, of counsel for th
appellants.

Proclamation being made the Court is adjour
ed until to-morrow at twenty o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. G. Thayer Esquire it is ordered that Charles L. Hardman, Esquire, of Worcester, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Eliab W. Mitchell.
18. vs. Pltff. in Error.
The City of Watertown.

Ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the 9th day of April next after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Jacob C. Wann.
375. vs. Appellant.
The Tacoma Land Company.

Ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the 16th day of April next, after the case heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Victor Meyer et al.
568. vs. Pltff. in Error.
Walter F. Richards.

On consideration of the motion to assign a day for the argument of this cause, It is now here ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the

16th day of April next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Covington and Cincinnati Bridge Company. vs. Pltf. in Error. The Commonwealth of Kentucky. 1025.

And

The Covington & Cincinnati Elevated Railroad & Transfer Co. vs. Pltf. in Error. The Commonwealth of Kentucky. 1043.

On consideration of the motion to assign a day for the argument of these cases, It is therefore ordered by the Court that these cases be, and the same are hereby, assigned for argument on Monday the 23d day of April next.

per Mr. Chief Justice Fuller.

The Singer Manufacturing Co. vs. Appellant. 195.

The Singer Manufacturing Co. vs. Appellant. 196.

George P. Bent

Ordered by the Court that these cases be, and the same are hereby, as-

assigned for the argument on the second Wednesday of the next term, after the cases therefore assigned for that day.

per Mr. Chief Justice Fuller.

Norman Brass.
768. vs. Pff. in Error.
The State of North Carolina ex rel: Louis M. Starnes.

On motion of Mr. O'H. Burruss of counsel for the plaintiff in error, it is ordered by the Court that this cause be, and the same is hereby, assigned for argument on Monday, the 23d day of April next, after the cases therefore assigned for that day.

per Mr. Chief Justice Fuller.

Stephen A. Ball et al.
294. vs. Appellants.
Howard D. Knapp et al.

The argument of this cause was continued by Mr. Sidney Webb, of counsel for the appellants, and Mr. Harrington Putnam, of counsel for the appellees, and concluded by Mr. Sidney Webb, of counsel for the appellants.

Michael Healy.
No. 1386. vs. Pff. in Error.
The United States.

This cause was argued by Mr. A. S. Worthington of counsel for the plaintiff in error, and Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

Cornelius P. Keeler et al.
No. 1387. vs. Appellants.
The Hamburg Printing Co. & Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Curtis Brown and Mr. J. Henry Taylor, of counsel for the appellants, and Mr. C. J. Cox, of counsel for the appellee.

Charles S. Worthington et al.
No. 1312. vs. Pffs. in Error.
The City of Boston

The argument of this cause was commenced by Mr. Geo. F. Edmunds of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, jr.
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Johnson Company. On motion of Mr.
144. vs. Eff. in Error. J. Bayard Henry,
William Wharton, Jr., & Co. Limited, use etc. in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

William Deering. Appeal from the Cir-
321. vs. Appellants. cuit Court of the United
The McCormick Harvest States for the District
ing Machine Company. of Minnesota.

This cause having been called for hearing
in its regular order, and it appearing to
the Court that the parties have failed to
print the transcript of the record. It is
therefore, in pursuance of the 16th rule of
this Court, now here ordered, adjudged and
decreed by this Court that this appeal be,
and the same is hereby, dismissed with costs.
per Mr. Chief Justice Fuller.

William Deering. Ordered by the Court
322. vs. Appellants. that this cause be,
The Wilson & Hamilton and the same is
Works et al. hereby, continued
until the next term,
per stipulation of counsel.

Charles B. Worthington et al. The argument
323. vs. Cffs in Error. of this cause
The City of Boston. was contin-

ued by Mr. George P. Edmunds, of counsel for the plaintiffs in error, and Mr. Andrew J. Rogers, of counsel for the defendant in error, and concluded by Mr. George P. Edmunds, of counsel for the plaintiffs in error.

The Missouri Pacific Railway Co. vs. Pff. in Error. } On motion of
318. George N. Mc. Pindlay et al. } Mr. George P. Edmunds, Esq.
on due showing,

It is ordered by the Court that leave be, and the same is hereby granted Mr. George Edmunds Pepper to appear for the purpose of arguing this case orally on behalf of the defendants in error.

Charles N. Morgan. } The argument of this
313. vs. Appellant. } cause was commenced
Fred. N. Davis. } by Mr. Philip Stearns,
of counsel for the appellant, and continued by Mr. Charles A. Washburn and Mr. J. C. Clayton, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
Samuel F. Brown. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George P. Edmunds it is ordered that Eugene Van Voorhis, Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Dillworth it is ordered

dered that Francis N. Southmayd and Simeon H. Winn, Esquires, of Janesville, State of Ohio, be admitted to practice as attorneys & counsellors of this Court and they were sworn accordingly.

The Steamship "Union" &c. Ordered by the
333. vs. Appellants. Court that leave
William H. Williams Master &c. be, & the same
is hereby, granted the Clerk to issue the mandate in this cause, per stipulation of counsel.

Catherine Gobley. Ordered by the
334. vs. Pff in Error. Court that this
The Mayor &c. of the Town. cause be, & the same is hereby, passed on account of sickness of counsel, subject to the provisions of section 1 Rule 6, per stipulation of counsels.

Steele Young et al. Appeal from the Circuit Court
335. vs. Appellants. of the United States for
Charles A. Jackson. the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is therefore, in pursuance of the 16th rule of this Court, now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Charles H. Morgan.
313. vs. Appellant.
Fred. N. Davis.

The argument of this cause was continued by Mr. J. B. Way rather, of counsel for the appellee, and concluded by Mr. Eb. J. Boutwell, of counsel for the appellant.

Everett Sistare et al, Collectors etc.
314. vs. Pff. in Error.
Edward P. Russell et al.

This cause was submitted to the consideration of the Court on the record, printed arguments by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. Frederic Cunningham, of

counsel for the defendants in error.

315. David A. Pearson, Collector &c. vs. Plff. in Error. Edward T. Russell et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Whitney, of counsel for the plaintiff in error, and Mr. Frederic Cunningham, of counsel for the defendants in error.

316. John Stewart. vs. Plff. in Error. B. H. Barnes, Executor of W. H. Barnes, decd., late Collector &c.

This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. C. W. Smith & Mr. J. M. Woolworth, of counsel for the plaintiff in error & Mr. Assistant Attorney General Conrad, of counsel for the defendant in error.

317. The Missouri Pacific Ry. Co. vs. Plff. in Error. George H. McFadden et al.

This cause was argued by Mr. George Wharton

Upon a consent for the defendants in error, by special leave of the Court, and submitted on a printed argument by Mr. James Hagerman, of counsel for the plaintiff in error.

317. Frederick Preston, Plff in Error, v. The Northern Pacific Railroad Company et al. This cause was argued by Mr. Elihu Root, of counsel for the plaintiff in error, and leave was granted counsel for the defendants in error to file a printed brief and counsel for the plaintiff in error to file a reply thereto.

320. Lewis Davis, Appellant, v. The Mercantile Trust Co., Trustee. The argument of this cause was commenced by Mr. Walter S. Logan, of counsel for the appellant

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday, March, 26th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
} Associate Justices.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John C. Gadis it is ordered that Morris Wray, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was accordingly.

On motion first made to the Court in this behalf by Mr. John W. Kern it is ordered

that Samuel C. Hayes, Esquire of Evanston, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Rice it is ordered that Daniel Wm. Becker, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert P. Hartley, Tutor of the minor, Mason Snowden. vs. The Equitable Life Assurance Society of the United States.

381. Pff. in Error. In Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Cir-

said Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

The Magnet Birmingham Coal, Iron & Railway Co.
176. vs. Appellants.
Gordon, Strobel & Laureau, Limited.

On consideration of the motion for an order granting the Clerk leave to issue the mandate in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motion be & the same is hereby, granted.

per Mr. Chief Justice Fuller.

The Great Western Telegraph Co.
728. vs. Pff. in Error.
Hiram Purdy.
&
The Great Western Telegraph Co.
805. vs. Pff. in Error.
Barbara Burnham et al.

On consideration of the motions to advance these causes, It is now here ordered by the

Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Fuller.

The People of the State of New York. vs. Appellants. John C. Eno. 1863

On consideration of the motion to advance this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said motion be, and the same is hereby, granted, & the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The United States et al. vs. Appellants. Charles Journycake, Principal Chief of the Delaware Indians. 1092

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same

is hereby granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The United States. On a petition for a writ
1133. vs. Appellants. of certiorari to the United
Sisters & Wendelson Co. States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon heard in support of the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Leonora Augusta Arnold, On a petition for a
et al. writ of certiorari
1152. vs. Appellants. to the United States
Curtis A. Chamberlayne et al. Circuit Court of Appeals: Second Circuit.

On consideration of the petition for a

writ of certiorari issued to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Michael Morgan et al. vs. Pepper in Error. Francis D. Morgan Receiver &c. 872

It is ordered by this Court that this cause be, and the same is hereby, restored to the docket for re-argument and assigned for April 16th next, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Moses Mamm. vs. Peffer in Error. Peter Neff. 344

In Error to the Supreme Court of the State of Montana.

This cause came on to be heard on the transcript of the record from the Su-

preme Court of the State of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court with a direction to reverse the judgment of the Court below and for further proceedings in conformity with the opinion of this Court.

per Mr. Chief Justice Fuller.

(Mr. Justice White not having been a member of the Court when this cause was considered, took no part in its decision).

David Benton, alias William Henry, Appellant,
v.
The United States.

Mr. Assistant Attorney General Hodges, for appellee, submitted to the consideration of the Court a motion to docket and dismiss this cause.

The Mobile & Ohio Railroad Co. et al. vs. Peffe. in Error. vs. The State of Tennessee et al. On motion of Mr. Josiah Patterson in behalf of counsel for the defendants in error, It is ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on Monday April 23d inst at the head of the call.

No. 1004.

Mary P. Hawley, Executrix etc. vs. Appellants. R. H. Lowe et al. On motion of Mr. George A. King, of counsel for the appellants, It is ordered by the Court that this cause be, and the same is hereby, advanced, pursuant to Rule 32.

No. 710.

Sarah F. Woodruff et al. vs. Appellants. Woodbury Wheeler et al. The motion to dismiss in this cause was submitted to the consideration of the Court on a printed argument by Mr. William A. Mc. Kenney, in support of the same and leave was

No. 748.

granted counsel for the appellants to file supplemental arguments in opposition thereto on or before Friday next.

899. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company vs. Victor M. Backus, Treasurer &c. — Pff. in Error.

900. The Indianapolis & Cincinnati R.R. Co. vs. Victor M. Backus, Treasurer &c. — Pff. in Error.

908. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company vs. Victor M. Backus, Treasurer. — Pff. in Error.

On motion of Mr. S. O. Pickens, of counsel for the plaintiffs in error, it is ordered by the Court that counsel on each side be allowed one hour additional time for the argument of these cases.

750. Russell Hartley et ux. vs. The Commonwealth of Massachusetts. — In Error to the Supreme Court of the Commonwealth of Massachusetts.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Missouri Pacific Railway Company.
vs. Pff. in Error.
Sarah Burr, &c. Def.

In Error to the Supreme Court of the State of Nebraska.

10478

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The United States.
1066. vs. Appellant.
A. Klingenberg.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Maxwell, of counsel for the appellant, and Mr. W. Richmond Smith, of counsel for the appellee.

The United States.
1130. vs. Appellant.
Robert S. Stubbs.

This cause was submitted to the consideration of the Court, pursuant to the 20th rule, on the record and printed arguments by Mr. Assistant Attorney General Taylor, of counsel for the appellant, and Mr. C. C. Cornish, of counsel for the appellee.

Erwin Davis.
320 vs. Appellant.
The Mercantile Trust Co. Trustee.

The argument of this cause was continued by Mr. Walter L. Sargent, of counsel for the appellant, and Mr. Thomas Thacher, of counsel for the appellee, and concluded by Mr. [illegible]

two days argument of counsel for the appellants.

323. The Quirk Mining Co. vs. Pfaff. in Error. John Humble et al.

The argument of this cause was commenced by Mr. Dan. H. Ball, of counsel for the plaintiff in error, and continued by Mr. Baxter G. Ihle, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, March 27th 1860.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Hugh C. Murray, Chief Justice.
Stephen J. Field.
John W. Harvey.
Nathaniel Bennett. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. F. Herron it is ordered that Henry M. Clements, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. W. C. Oates it is ordered that John Mc. Mc. Kinney and J. J. Willis, Esquires, of Tuscaloosa State of Alabama, be admitted to practice as attorneys & counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Kye it is ordered that John Guy Mc. Kinney, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Kelcheme it is ordered that C. C. Garver, Esquire, of Salina, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

John T. Wilmuth. vs. Appellant. Sargent & Company.

150 Ordered by the Court that leave be, & the same is hereby granted the Clerk to issue

the mandate in this cause.

The New York, Lake Erie and Western R.R. Co.

75. vs. Pffs. in Error.

The Commonwealth of Pennsylvania.

The New York, Lake Erie and Western R.R. Co.

77. vs. Pffs. in Error

The Commonwealth of Pennsylvania.

The New York, Lake Erie and Western R.R. Co

591. vs. Pffs. in Error

The Commonwealth of Pennsylvania.

Ordered by the Court that these cases be, and the same are hereby, assigned for re-argument on Thursday, April 5th next, if the case shall then be assigned for that day.

Robert Alden Gales.

808 vs. Appellant.

James McMurray & Brother. Ordered by the Court that the mandate in this case is hereby, granted the Clerk to issue the mandate in this cause.

The Calumet Manufacturing Company.		Appeal from the Circuit Court of
333.	vs. Appellant	The United States
The Celluloid Manufacturing Co., et al.		for the Southern District of New York.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record. It is, therefore, in pursuance of the 10th rule of this Court, now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Quick Mining Co.		The argument of this
123	vs. Aff. in Error.	cause was continued by Mr. Edwin
John Humble et al.		F. Hill, of counsel for the defendants in error, and concluded by Mr. James L. Flanders, of counsel for the plaintiff in error.

899. The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. vs. Victor Lb. Backus, Treasurer et ob. Pff. in Error

900. The Indianapolis & Cincinnati R.R. Co. vs. Victor Lb. Backus, Treasurer et ob. Pff. in Error

908. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company. vs. Victor Lb. Backus, Treasurer. Pff. in Error.

The argument of these cases was commenced by Wm. Lb. Butler, of counsel for the plaintiffs in error in Nos. 899 and 900, and continued by Wm. A. Lamb, of counsel for the defendants in error.

Upon the case being resumed the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, March, 28th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.

Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. M. Teller it is ordered that A. C. Botsford, Esquire, of Cripple Creek, State of Colorado be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Orsian O. Ashley et al.	Ordered by
1068.	vs. Pffs. in Error.	the Court
	Davis J. Ryan, Secretary of State &c.	that these
	&c	cases be, and
	The Eagle Insurance Co., of Cincinnati, et al.	the same are
	vs. Pffs. in Error.	hereby, set
1069.	The State of Ohio ex rel: W. N.	assigned for
	Knowles, Superintendent &c.	argument
		on Monday
		April 16th

next after the cases heretofore assigned for that day.

	The State of Indiana ex rel:	On motion of
	Walter Hanlon, Trustee.	Wm. W. A. Keb-
346.	vs. Pff. in Error.	ham, in be-
	Arista Glover et al.	half of coun-
		sel for the

plaintiff in error, It is ordered by the Court that this cause be, and the same is hereby, continued until the next Term.

894 The Pittsburgh, Cincinnati, Chicago and St. Louis Railway Co. vs. Pfff. in Error. Victor M. Backus, Treasurer, et al.

900 The Indianapolis & Vincennes R.R. Co. vs. Pfff. in Error. Victor M. Backus, Treasurer, et al.

908 The Cleveland, Cincinnati, Chicago and St. Louis Railway Co. vs. Pfff. in Error. Victor M. Backus, Treasurer.

Upon motion of counsel for these cases was continued by Mr. C. C. Smith, and Mr. W. W. Kelham, of counsel for the defendants in error, and concluded by Mr. John T. Dye, of counsel for the plaintiff in error in No. 908.

836 John M. Burke. vs. Appellants C. H. Dubaney & J. L. Lemmon, Executors, etc.

This cause was argued by Mr. Leigh Robinson, of counsel for the appellee, & submitted on a printed argument by Mr. W. B. Ingersoll, of counsel for the appellant.

327 The Northern Pacific R.R. Co. vs. Plff. in Error. Benjamin B. Boyle, Adm'r, &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Mc. Naught, Mr. C. N. Garland and Mr. N. J. Shay, of counsel for the plaintiff in error, and Mr. C. O. O'Brien, of counsel for the defendant in error.

328. The Northern Pacific R.R. Co. vs. Plff. in Error. Albert L. Babcock, Admr. &c. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Mc. Naught, Mr. C. N. Garland and Mr. N. J. Shay, of counsel for the plaintiff in error, and Mr. Reuben G. Benton, of counsel for the defendant in error.

329. Warren A. Barham et ux. vs. Plffs. in Error. The Woodstock Iron Co., Ltd. The argument of this cause was commenced by Mr. J.

A. W. Smith, of counsel for the plaintiffs in error, and continued by Mr. J. J. Miller, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at ten o'clock.

Thursday, March, 29th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.

John M. Harlan.

Horace Gray.

David J. Brewer.

Henry B. Brown.

George Shiras, Jr.

Edward D. White.

John M. Wright, Esquire, Marshal.

James H. McKenney, Clerk.

Whereupon the following proceedings were had:

On motion first made to the Court in this behalf by Wm. H. Norton Phillips it is ordered that E. B. Key, Esquire, of Washington, District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was thereupon accordingly.

Cleveland County. In Error to the Circuit
343. vs. Pff. in Error. Court of the United States
The United States et al: for the Eastern Dis-
Milton Shirk. trict of Arkansas.

This cause having been called for hearing in its regular order, and it appearing to the Court that the parties have failed to print the transcript of the record, It is therefore, in pursuance of the 10th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per the Chief Justice Fuller.

Harriet A. Barkam et al. The argument
321 vs. Pffs. in Error. of this cause
The Woodstock Iron Co. et al. was continued
by Mr. J. J. Wil-
lis and Mr. John C. Rose, of counsel for
the defendants in error, and concluded
by Mr. J. A. W. Smith, of counsel for the plain-
tiffs in error.

The Citizens Saving Fund Association. vs. Pltf. in Error. The County of Cory. — Case was argued by Wm. George A. Sawtelle, of counsel for the plaintiff in error, and submitted on a printed argument by Wm. Stevens Symmes, of counsel for the defendant in error.

330.

The United States. vs. Appellant. The Illinois Central R.R. Co., et al. — The argument of this cause was commenced by Wm. Lee and concluded by Wm. Lowell Sawtelle, of counsel for the appellant.

331.

Examination being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, March 30th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray. Associate
David J. Brewer. Justices.
Henry B. Brown.
George Shiras, Jr.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Reuben McMillan it is ordered that Jo Abbott, Esquire, of Waco, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

David Bailey, alias William Henby. vs. The United States.

1865. Appellant.

Mr. Assistant Attorney General Dodge, of counsel for the appellee, having filed in the Court the following certificate, viz:

"United States of America. } ss.
Southern District of Illinois }

I, W. B. Conkling, Clerk of the District Court of the United States for the Southern District of Illinois, do hereby certify that in a certain cause pending in said Court wherein the United States was plaintiff, and David Bailey, alias William Henby, was defendant, the said defendant was on the 28th day of August A.D. 1893 by the judgment of said Court, sentenced to be imprisoned in the Southern Illinois Penitentiary, at Chester, Illinois, at hard labor for the period of two years from said 28th day of August 1893:

That on said 28th day of August, 1895, the said defendant prayed an appeal to the Supreme Court of the United States, which was then and there allowed on

condition that the said defendant present and file a bill of exceptions and enter into a bond in the sum of one thousand dollars within sixty days from said date.

That on the 26th day of October 1893 the time for filing the bill of exceptions was extended fifteen days; and that afterwards a citation was issued in said cause, returnable on the 26th day of February, 1894.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said district court, at my office, in Springfield, in said district this 16th day of March, A.D. 1894.

(Seal).

W. B. Conness, Clerk."

It is ordered that the Clerk docket and dismiss this cause, pursuant to the 9th rule; and it appearing to the Court that the appellant has failed to have his cause filed and docketed in conformity with the rules of this Court. It is now here ordered, adjudged and decreed by this Court that this appeal from the District Court of the

United States for the Southern District of Illinois be, and the same is hereby, dismissed and dismissed: and that this cause be, & the same is hereby, remanded to the said District Court to be proceeded in accordingly to law and justice.

per Mr. Chief Justice Fuller.

G. P. Miller. vs. Pff. in Error. The State of Texas.

1198

On motion of Mr. Jo Abbott, of counsel for the plaintiff in error, leave is hereby, granted the plaintiff in error to prosecute this cause in forma pauperis in this Court.

The United States. vs. Appellant. The Illinois Central R.R.Co. et al.

331.

The argument of this cause was continued by Mr. Solicitor General Maxwell, of counsel for the appellant, and Mr. B. F. Tracy & Mr. John J. Miller, of counsel for the appellees, and concluded by Mr. Solicitor General Maxwell, of counsel for the appellant.

S. D. Wilson, Treasurer etc. This cause was
332 vs. Pff. in Error. submitted to
The Haley Live Stock Co. the consider-
ation of the
Court on the record and printed argu-
ments by Mr. H. C. Johnson and Mr. O. E. Parks,
of counsel for the plaintiff in error, and
Mr. W. G. Hughes, of counsel for the defend-
ant in error.

Jacob B. Erhardt, Collector etc. The argu-
334 vs. Pff. in Error. ment of this
Lewis Steinhardt et al. cause was
commenc-
ed by Mr. Assistant Attorney General
Whitney of counsel for the plaintiff in
error and continued by Mr. Edward Mur-
ray, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown Justices
George Shiras Jr.
Howell E. Jackson.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

[Proclamation being made the Court is opened]

On motion first made to the Court in this behalf by Mr. William M. Springer it is ordered that John L. Hunter, Esquire of Williamantic, State of Connecticut, be admitted to practice as an attorney & counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wis P. Haugen it is ordered that Thomas Martin Kelly Esquire of Black River Falls, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. W. Stowe it is ordered that A.E. Watson Esquire, of Kalamazoo, State of Michigan be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in the absence by Mr. O.K. Cockrill it is ordered that William M. Evans Esquire, of Pulaski, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell

it is ordered that Rufus S. Simmons, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Childs it is ordered that Edwin S. Stephenson Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] it is ordered that William W. Crane, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Lathrop & Johnson. vs. Martin V. Merrick. Appeal from the Circuit Court of the United States for the Southern District of New York.

No. 208. Appellant.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum, that decrees bear in the Courts of the State of New York.

per Mr. Justice Strong.

Edward James Lennis, Samuel Coulter & G. J. Sattler. vs. Peffo in Error. Kingman and Co.

In Error to the Supreme Court for the Indian Territory.

256

This cause came on to be heard on the transcript of the record from the United States Court for the Indian Territory, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said United States Court in this cause be, and the same is hereby, reversed

with costs: and that this cause be, and the same is hereby, remanded to the said United States Court with directions to set aside the verdict, and grant a new trial.

per Mr. Justice Grier.

Michael Healy. In Error to the District Court
vs. Pff. in Error. of the United States for the
1035. The United States. District of North Dakota.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of North Dakota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Grier.

(Mr. Justice Jackson did not hear the argument or take any part in the decision of this case).

Engelbert Handt, Marcus L. W. Ritchew, Frederick A. VanBerwith et al. vs. Appellants. Sigismund Heidweyer, Norbert Steyrle, The National Bank of Illinois, et al. Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Alexander H. Robertson, Trustee of the estate of Ella V. Davis, bankrupt. vs. Appellant. Samuel M. Chapman, William D. Polk, et al. Appeal from the Circuit Court of the United States for the District of Nebraska.

355

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

(Mr. Justice Jackson and Mr. Justice White did not hear the argument and took no part in the decision of this case).

Henry Herriman, Charles Strubach & William Strubach &c. vs. Appeal from the Circuit Court of the United States for the Southern District of New York.

250. William H. Robertson, Collector of the Port of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It

is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

(Mr. Justice Jackson was not present when this case was argued and took no part in its decision).

Joseph E. Sargent and George H. Sargent. vs. James B. Covert.

298. Appellants.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby, remanded to the

said Circuit Court with a direction to dismiss the bill.

per Mr. Chief Justice Fuller.

(Mr. Justice Peckham did not hear the argument, and took no part in the decision of this case).

Sarah G. Marshall et al. v. Appellants. Worthington Wheeler et al. 748.

It is ordered by the Court that the appellees, herein give one weeks notice to the appellants, in person, of the motion to dismiss in this cause.

per Mr. Chief Justice Fuller.

Susan Luxton. v. Peffin Ferry. The Walla Walla River Bridge Co. 1010

On consideration of the motion of Seth B. Crosier to be allowed to intervene in this cause, it is now here ordered by this Court that said motion be, and the same is hereby denied, but leave is given to his counsel to file a brief on the questions involved within two weeks.

per Mr. Chief Justice Fuller.

The New York, Lake Erie & Western Railroad Co.

75. vs. Pff. in Error.

The Commonwealth of Pennsylvania.

The New York, Lake Erie & Western Railroad Co.

79. vs. Pff. in Error.

The Commonwealth of Pennsylvania.

The New York, Lake Erie & Western Railroad Co.

591. vs. Pff. in Error.

The Commonwealth of Pennsylvania.

It is ordered by the Court that these cases be, and they are hereby, re-assigned for argument on the 16th inst. after the cases first therefore assigned for that day, per Mr. Chief Justice Fuller.

Order.

There having been an Associate Justice of this Court appointed since the last Term closed, It is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress, in such cases made and provided, viz: that said allotment be entered of record, namely:

For the First Circuit, Horace Gray, Associate Justice.
For the Second Circuit, Henry B. Brown, Associate Justice.
For the Third Circuit, George Shiras, Jr., Associate Justice.
For the Fourth Circuit, Melville W. Fuller, Chief Justice.
For the Fifth Circuit, Edward D. White, Associate Justice.
For the Sixth Circuit, Stanley Matthews, Associate Justice.
For the Seventh Circuit, John M. Harlan, Associate Justice.
For the Eighth Circuit, David J. Brewer, Associate Justice.
For the Ninth Circuit, Stephen J. Field, Associate Justice.
and Hon. Chief Justice Fuller.

William P. Lehmann, Collector of Customs for the Port of Chicago.
vs.
Frank L. Davis.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

750. Pff. in Error.

This cause having been called to the attention of the Court by the Solicitor General Maxwell, of counsel for the plaintiff in error and the Court having moved the Court to dismiss this cause, Stephen, in pursuance of said motion, it is now ordered and adjudged by this Court that the writ of error in this cause is

and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

644 The United States. vs. Appellant. E. C. Knight Co. et al. Mr. Solicitor General Maxwell, of counsel for the appellant, submitted to the consideration of the Court a motion to advance this cause.

653 Ozias W. Shipman. vs. Pff. in Error. The Steamboat Central Mining Co. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. J. Hubley Ashton and Mr. Edward Russell, in opposition thereto.

122 Henry Neilson et al vs. Appellants. Gustave Berlin Luyd et al. and Mr. George A. Black, of counsel for the appellants, on case No. 1095

1110. Henry Hilton et al. vs. Pepp. in Error. Gustave Bertin Guy et al. submitted to the consideration of the Court a motion for leave to file a printed brief in these cases.

1161. The New Orleans & Northeastern Railroad Co., et al. vs. Pepp. in Error. Oscar Downes. The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court by Mr. B. B. Montgomery for Petrs. and Mr. C. B. Grimes, in support of the same.

987. Louis K. Hyde, Receiver etc. vs. Appellant. James W. Lambert, Sheriff etc. Mr. B. B. Montgomery, of counsel for the appellant, submitted to the consideration of the Court a motion to reverse the decree in this cause and to enter a decree in favor in pursuance of a stipulation of counsel.

Elijah W. Hendaugh et ab. vs. Appellants. Wm. Hamil Wilson.

On motion of Mr. W.P. Mongue, in behalf of counsel for the appellants leave is hereby given the Clerk to issue the mandate in this cause.

Samuel J. Ritchie. vs. Pff. in Error. James B. McMullen et ux.

Mr. Samuel Shellabarger, of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to set this cause down for re-argument before a full bench in connection with cases No. 333 and 1440. Whereupon, It is now here ordered by the Court that said motion be, and the same is hereby, denied, but leave is granted counsel for the plaintiff in error to file an additional printed argument herein and to counsel for the defendants in error to file a reply thereto within one week thereafter.

George W. Folsom. Mr. C. A. Garland,
163. vs. Pff. in Error. in behalf of counsel for the plain-
The Township of Windy-six tiff in error, sub-
in the County of Chicasaw, U.S. mitted to the con-

sideration of the Court a motion to dismiss this cause.

Edward B. Bartlett et al. The motions to
712. vs. Pffs. in Error. dismissal of writ in this
William Lockwood et al. cause were sub-

mitted to the consideration of the Court on the record and printed arguments by Mr. Francis Lynde Stetson and Mr. A. M. Bays, in support of the same, & Mr. W. H. Goodrich, in opposition thereto.

Jacob P. Schwartz, Collector &c. The argument
334. vs. Pff. in Error. of this cause
Lewis Steinhardt et al. was continued by Mr.

Edward Mitchell, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Hoyt,

of counsel for the plaintiff in error.

John Riggles et al. vs. Hannah Bruey et al. Appellants. 335

The argument of this cause was commenced by Mr. J. G. Payne, of counsel for the appellants, and continued by Mr. E. B. Kay, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday, April 3d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is open

On motion first made to the Court in this behalf by Hon. M. Hamlin Phillips it is ordered that E. M. Pollock, Esquire, of South Dakota, Territory of Utah, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly

On motion first made to the Court

on this behalf by the Attorney General, it is ordered that S. Herbert Clay, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. B. Hay it is ordered that Simon H. Jacobs, Esquire, of Enid, Territory of Oklahoma, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Grant Piggee et al. vs. Appellants. / Amanda Ewing et al. — The argument of this cause was continued by Wm. B. Hay, of counsel for the appellees, and concluded by Wm. J. L. Payne, of counsel for the appellants.

335.

Henrietta Louise Lutz et al., Administratrix etc. vs. Effie M. Ewing. / David Wagoner, Collector etc. — This cause was argued by Wm. Albert Comstock, of counsel for

336.

the plaintiffs in error, and Mr. Chrichard Murray Dawson Holden, of counsel for the defendant in error.

337. E. E. Hamwich, Appellant vs Victoria Hamwich et al.
338. Victoria Hamwich et al. Appellants vs E. Hamwich et al.
339. William Scully et al. Appellants vs E. Hamwich et al.

These cases were argued by Mr. W. Mitchell Phillips of counsel for E. E. Hamwich. No brief filed for the other parties.

The Steamship "Britannia", etc.

340. vs. Appellant. The argument of these cases was commenced by Mr. R. A. Ramsay, of counsel for the appellants.

Elizabeth Caughy, Executrix etc.

The Steamship "Britannia", etc.

341 vs. Appellants.

John Lucas Bolton.

La Compagnie Française de Navigation a Vapeur.

342 vs. Appellant.

The Steamship "Bonaventure", etc.

Further hearing in the Court is adjourned sub nisi to-morrow at twelve o'clock.

Wednesday, April 11th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. John F. Dillon it is ordered that Edward P. Adams, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney & Counsellor of this Court, and he was sworn accordingly

The New Orleans & Pacific
Western R.R. Co. et als.
1161. vs. Appeal in Error.
Oscar Thomas.

On petition for a writ
of certiorari to the Unit
ed States Circuit Court of Ap
peals for the Fifth Circuit.

On consideration of the petition for a writ
of certiorari herein to the United States Cir
cuit Court of Appeals for the Fifth Circuit, and
of the argument of counsel in support of
the same, It is now here ordered by this Court
that said petition be, and the same is here
by, denied.

per Mr. Chief Justice Fuller.

John H. Reagan et al.
1167 vs. Appellants.
The Mercantile Trust Co. Trustee et al.

John H. Reagan et al.
1168. vs. Appellants.
The Mercantile Trust Co. Trustee et al.

John H. Reagan et al.
1169. vs. Appellants.
The Mercantile Trust Co. Trustee et al.

On motion
of Mr. C. B.
Burnes, of
counsel
for the ap-
pellees, it
is ordered
by the
Court
that these
cases be

1170. John H. Reagan et al. Appellants.
vs.
The Farmers Loan & Trust Co. Trustee et al.

and they are hereby advanced to be submitted on printed arguments to be filed on or before the 13th inst. and.

John Anderson. In Error to the Circuit Court
1165 vs. Pgg in Error. of the United States for the
The Minnesota Iron Co. District of Minnesota.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

The Steamship "Britannia," etc. The argument
340. vs. Appellant. of this cause
Elizabeth Hoyle, Executrix etc. was continued by Mr.
The Steamship "Britannia," etc. R. D. Benedict,
341 vs. Appellant. of counsel for
John Lucas Collins. the appellants,

La Compagnie Francaise de Navigation a Vapeur. vs. Appellant.
3142. The Steamship "Boursopiel" etc.

and the Delay Rule of Court for the appellee in the 3141, and the

George P. Black of counsel for the appellant and concluded by Wm. B. Rawle of counsel for the appellants.

John H. Keegan et ux. vs. Appellants.
928. The Pennsylvania Coal Company et ux.

The argument of this cause was commenced by Wm. A. Anderson of counsel for the appellants.

Whereupon during recess the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April, 5th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Louis Salzbacher, Esquire, of Las Vegas, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

John H. Reagan et ab.
728. vs. Appellants.
The Farmers Loan & Trust Company et ab.

The argument of this cause was continued by Mr. C. A. Culberson, of counsel for the appellants, and Mr. E. R. Hurlbut and Mr. John E. Dibben, of counsel for the appellees, and concluded by Mr. H. B. Riley of counsel for the appellants.

Benjamin A. Hanley.
751. vs. Pff. in Error.
The Commonwealth of Massachusetts.

The argument of this cause was commenced by Mr. P. W. Morse, of counsel for the pff. in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April, 5th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. B. Browne it is ordered that Louis Lutzbacher, Esquire, of Las Vegas, Territory of New Mexico, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

928. John H. Reagan et al. vs. Appellants. The Farmers Loan & Trust Company et al. The argument of this cause was continued by Mr. C. C. Culberson, of counsel for the appellants, and by Mr. E. B. Smith and Mr. John C. Dillon, of counsel for the appellees, and concluded by Mr. H. C. Coke, of counsel for the appellants.

751. Benjamin A. Ramsey. vs. Plff in Error. The Commonwealth of Massachusetts. Deft in error. The argument of this cause was commenced by Mr. B. W. Morse, of counsel for the plaintiff in error.

Proclamations being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April, 6th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Louis Levy & Edward Dreyfus, composing the firm of Levy, Dreyfus & Co. vs. Appellants. } Appeals from the Circuit Court of the United States for the Southern District of New York.

643 William Wack.

William Wack. vs. Appellant.

644 Louis Levy & Edward Dreyfus composing the firm of Levy, Dreyfus and Co.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed.

per Mr. Chief Justice Fuller.

Benjamin D. Hornby, vs. Peff in Error. The argument of this
751. The Commonwealth of Massachusetts. cause was continued by Mr. C. F. Adams, of counsel for the plaintiff in error, and Mr. A. E. Pillsbury, of counsel for the defendant in error, and concluded by Mr. R. M. Morse, of counsel for the plaintiff in error.

James M. Constable et al. vs. Appellants. The argument of this
21. The National Steamship Co., cause was commenced by Mr. Joseph H. Choate, of counsel for the appellants.

On motion it is ordered that the Court is adjourned

Monday, April 9th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Maxwell it is ordered that J. William Ball, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Bookstaver it is ordered that Robert Early McFarland, Esquire of Council Bluffs, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. M. Stoddard it is ordered that John S. Jenkins, Esquire of Oklahoma, Indian Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. E. Whitney it is ordered that Edward Henry Rogers, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The North Chicago Rolling Mill Company,
vs. Appellant.
The St. Louis Ore & Steel Com-

Appeal from the Circuit Court of the United States for the Northern

197.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed therein in conformity with the opinion of this Court.

per Mr. Justice Jackson.

Mr. Chief Justice Fuller having been of counsel, & Mr. Justice White not having been a member of the Court when this case was argued, took no part in its consideration & decision.

P. Sarles.		In Error to the District Court
872.	v. Pff. in Error	of the United States for the West-
The United States.		ern District of Arkansas.

This cause came on to be heard on the transcript of the record from the District

Court of the United States for the Northern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said District Court with directions to quash the indictment, and discharge the defendant

per Mr. Justice Shiras.

Anthony J. Seiberger, Collector of Customs for the 2nd Dist. of Chicago. vs. Leopold Schlesinger & David Mayer, copartners as Schlesinger and Mayer.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now

were entered and adjudged by this Court that the final judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brown.

Orrin Davis. Appeal from the Circuit
320. vs. Appellant. Court of the United States
The Mercantile Trust for the Southern Dis-
Company, Trustee. trict of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that these appeals be, and the same are hereby, dismissed with costs.

per Mr. Justice Brewer.

J. R. Burck		Appeal from the Circuit Court
170.	vs. Appellant.	of the United States for the West-
Texas Pacific.		ern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Jackson

Mr. Justice Shiras.

(Mr. Justice White was not a member of the Court when this case was argued, and took no part in its decision.)

Everett Sullivan, Collector of Customs for the Port of Boston and Charlestown.		In Error to the Circuit Court of the United States for the District of Massachusetts.
314.	vs. Pffs. in Error.	
Edward G. Russell and Clarence S. Mitchell, copartners as Edward G. Russell and Company.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to render judgment upon the agreed Statement of facts for the defendant.

per Mr. Justice Gray.

William B. Boyle, Ruby Lyles, Alexander Scott & William J. Boyle		In Error to the Cir. and Court of the United States for the Southern Dist. of New York
241	vs.	
David Magone, Collector of the Port of New York.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

Mr. Justice Jackson was not present at the argument and took no part in the decision of this cause.

	Charles C. Worthington & William A. Perry.	In Error to the Circuit
312	v.	Court of the United
	Pltffs. in Error.	States for the District
	The City of Boston.	of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment in favor of the plaintiffs for the sum of $35,000, with interest from April 5th, 1887.

per Mr. Justice Harlan.

	Silas W. Shipman.	On consideration
353	v.	of the motion to dis-
	Def. in Error.	miss in this cause,
	The Straitsville Central	and of the argument
	Mining Company.	

of counsel thereupon heard, as well in support of, as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Edward C. Burtis et al. vs. William Lockwood et al. 712.

It is ordered by the Court that the further consideration of the motion to dismiss or affirm in this cause be, and the same is hereby, postponed to the hearing of the cause on the merits.

per Mr. Chief Justice Fuller.

Louis H. Pyle, Receiver of the New Orleans & Northeastern Railway Company, vs. James W. Lambert, Sheriff and Tax Collector of the County of Adams, Mississippi. 187.

Appellant. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause having been called to the attention of the Court by Mr. E. C. Brandon

of Counsel for the appellants and the Brief submitted on stipulation of Counsel for the respective parties to reverse the decree of the Circuit Court in this cause, On consideration thereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, costs in this Court and in the Circuit Court to be paid by appellant: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law.

per Mr. Chief Justice Fuller.

George W. Folsom.
vs. } In Error
The Township of Hinsdale
in the County of Cattaraugus, N.Y.

On consideration of the motion to advance this cause, It is now here ordered by the Court that the said motion be, and the same is hereby, granted, and the case advanced to the 2nd Rule to be submitted on printed briefs.

per Mr. Chief Justice Fuller.

The United States
vs. Appeal
B.B. Knight Company et al.

On consideration
of the motion to d
miss this cause,
It is now here or-
dered by the Court that said motion be,
and the same is hereby, granted, and that
cause assigned for argument on the 2nd
Monday of the next term after the cau
last aforesaid assigned for that day.
per the Chief Justice Waite.

1864

Sarah E. Wareham and
Isaiah Shaw by their next
friend, Granville C. Shaw.
vs. Appellants.
Woodbury Wheeler & Mary
Wheeler, his wife, et al.

Appeal from
the Supreme
Court of the
District of
Columbia.

1748

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the District of Columbia, and on
a motion to dismiss, which was argued
by counsel. On consideration whereof,
It is now here ordered, adjudged and
decreed by this Court that this appeal be

the cause is hereby dismissed with costs.
per Mr. Chief Justice Waite.

The Northern Pacific Railroad Company.
vs. Peff. in Error.
Benjamin A. Booth, Administrator of the estate of Fred O. Booth, deceased.

In Error to the Circuit Court of the United States for the District of Minnesota.

327.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, & the same is hereby dismissed for want of jurisdiction.
per Mr. Chief Justice Waite.

David S. Briscoe, Collector of Customs for the Port of Gloucester.
vs. Peff. in Error.
Edward P. Russell & Clarence E. Mitchell, copartners, as E-

In Error to the Circuit Court of the United States for the District of

316.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter judgment for the defendant.

per Mr. Chief Justice Waite.

(Mr. Justice Harlan did not hear the argument, and took no part in the consideration and decision of this case).

The United States. — Appeal from the Circuit
349 v. — Appellant. — Court of the United States
The People of the State — for the Northern Dis-
of Illinois, et al. — trict of Illinois.

On motion of the Solicitor General, [illegible] it appearing to the Court that the United States were not parties to the suit in the

Circuit Court, It is ordered that this appeal be, and the same is hereby, stricken from the docket.

per Mr. Justice Field.

Horace G. Allis.
vs. Pff. in Error
The United States.

Mr. Solicitor General Maxwell, of counsel for the defendant in error, submitted to the consideration of the Court a motion to advance this cause.

1876 O. G. Luberger, Collector &c.
vs. Pff. in Error.
Frank L. Davis.

On motion of Mr. Solicitor General Maxwell, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the mandate in this cause.

The United States.
Original — vs. — Complainant.
The State of Texas.

On motion of Mr. A. H. Garland, of counsel for the defendant in error leave is hereby granted

to file a stipulation in regard to certain documentary evidence.

Ex parte: In the matter of The City National Bank of Fort Worth, Texas. Petitioner. Mr. A. M. Dockum, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus here

The Pittsburgh, Cincinnati & St. Louis Railway Co., et al. vs. The Keokuk & Hamilton Bridge Company. Appellants. 1112. This case was submitted to the consideration of the Court, on motion and printed arguments of Mr. Thomas Marshall, of counsel for the appellants, and Mr. Lyman Trumbull and Mr. Percy Bernard, of counsel for the appellee.

D. W. Alsop &c. vs. Frederick Chauncey, Executors etc. Allan Campbell et al. Appellants.

3118. vs.

Andrew J. Riker.

And

Andrew J. Riker.

vs. D. W. Alsop &c. vs. Frederick Chauncey, Executors etc. Allan Campbell et al.

Mr. A. S. Worthington, of counsel, suggested the death of Allan Campbell, one of the parties in these cases, and on his motion, it is ordered by the Court that these cases be, and they are hereby, continued until the next term.

John J. McKane vs. Appellant.

1886. E. H. Durston, Agent etc.

Mr. Conrad McKenny, on behalf of counsel for the appellee, submitted to the consideration of the Court a motion to advance this cause, and leave was granted to counsel for the appellant to file a brief in opposition thereto on or before Thursday next.

Willow L. Rees.
383 vs. Pff. in Error.
Wood Co. Ins. Company.

On motion of Mr. J. H. Mitchell, of counsel for the plaintiff in error,

It is ordered by the Court that this cause be, and the same is hereby, assigned for argument with No. 376, motion case, and on motion of Mr. Charles K. McKenney, leave is hereby granted counsel for the plaintiff in error to file a printed brief herein,

Charles W. Howe.
382 vs. Pff. in Error.
C. A. Smith et al.

The motion to dismiss in this cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. Oscar Woods, in support of the same, and Mr. H. Bates in opposition thereto.

The United States ex rel. The State of South Carolina,
1140. vs. Pff. in Error.
John L. Inman, Commissioner of Patents.

The motion to dismiss in this cause was submitted to the consideration

of the Court on the record and printed arguments by Mr. A. M. Campbell, in support of the same, and Mr. J. Mellen Johnson, in opposition thereto.

The Pennsylvania R.R. Co. et al. vs. Peffo. in Error. Rowan W. Jones.

2160

By

The Pennsylvania R.R. Co. et al. vs. Peffo. in Error. Charles T. Stewart.

2161

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Enoch Totten, of counsel for the plaintiffs in error, and Mrs. William A. Cook and Mr. W. C. Cole, of counsel for the defendants in error.

James W. Constable et al. vs. Appellants. The National Steamship Co. Limited.

21

The argument of this cause was continued by Mr. Joseph M. Wheate, of counsel for the appellants, and concluded by Mr. James C. Carter, of counsel for the appellee.

The United States
vs. Appellant.
The Chicago Missouri River
Construction et al.

On motion of Mr.
Solicitor General
Stanwood, of counsel
for the appellant
It is ordered by the
Court that this cause be, and the same is
hereby, re-assigned for argument on the
second Monday of the next term, after
the cause heretofore assigned for that day.

Proclamation being made the Court is adjourned
until to-morrow at twelve o'clock.

Tuesday, April, 10th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Henry Hilton et al. vs. Appellants.
323. Gustave Bertin Guyot et al.

And

Henry Hilton et al. vs. Pffs. in Error.
440. Gust ave Bertin Guyot et al.

The argument of these cases was commenced by Mr. Elihu Root, of counsel for Hilton et al, continued by Mr. William D. Evarts,

of counsel for Guyot et al., and concluded by Mr. James C. Carter, of counsel for Hilton et al.

Leave was granted Mr. George C. Black, of counsel in No. 1095 to file a printed brief herein within three days, and to counsel for Guyot et al. to file a reply thereto on or before Monday next.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Forward to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice,
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

(Proclamation being made the Court is opened.)

The Merchants' Cotton Press & Storage Company.
807 vs. Pff. in Error.
The Insurance Co. of North America et al.

The National Fire Insurance Co. of Connecticut
808 vs. Pff. in Error.
The Insurance Co. of North America et al.

The Mutual Fire Insurance Co. of New York.
809 vs. Pff. in Error.
The Insurance Co. of North America et al.

The Continental Insurance, of New York.

510. vs. Pff. in Error.

The Insurance Co. of North America, et al.

The Fire Association of New York.

511. vs. Pff. in Error

The Insurance Co. of North America et al.

The Liverpool & London & Globe Insurance Co

512. vs. Pff. in Error.

The Insurance Co. of North America et al.

The Royal Insurance Co. of Liverpool, England.

513. vs. Pff. in Error.

The Insurance Co. of North America et al.

On motion of Mr. Josiah Patterson, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in these cases.

Richard P. Barden et al.

612 vs. Pffs. in Error. The argument of this cause was resumed by Mr.

The Northern Pacific R.R. Co.

W. W. Kinne of counsel for the plaintiffs in error, continued by Mr. James Mc. Mangal and Mr. James C. Carter of counsel for the defendant in error, and concluded by Mr. Solicitor General Hoyes.

on behalf of the plaintiffs in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met
to-day at the Capitol.

Present.

The Honorable William M. Butler, Chief Justice
Stephen J. Field.
John M. Scarlett.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson
Edward D. White.

John W. Wright, Esquire, Marshal.
James H. Mc. Kenney, Clerk.

[illegible] motion [illegible] to the Court is granted

On motion first made to the Court in the
case by Mr. George P. Edmunds it is ordered
that William M. Evarts, Esquire, of Burlington,
State of Vermont, be admitted to practice as
an Attorney and Counsellor of this Court,
and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. John R. Clayton it is ordered that Charles Wilkinson, Esquire, of Montgomery, State of Montana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

357. The Northern Pacific R.R. Co. vs. Peff, in Error. J. L. Patterson, County Treasurer etc.

This cause was argued by Mr. James McNaught, of counsel for the plaintiff in error, and submitted on a printed argument by Mr. W. H. Dixon, of counsel for the defendant in error.

1046. The Northern Pacific R.R. Co. vs. Appellant. D. J. Clark, County Auditor etc.

This cause was argued by Mr. E. M. Dudley, of counsel for the appellant, and Mr. S. W. Camp, of counsel for the appellee.

Oral motions being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April, 13th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Josiah Patterson it is ordered that W. A. Henderson, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney & counsellor of this Court & he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Julius D. Davis it is

dered that Frederick Heller, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The State of Tennessee, use &c.		
The City of Memphis et al.		On motion of
761.	vs. Appellants.	Mr. Josiah Patterson, in be-
The Bank of Commerce et al.		half of counsel,
The State of Tennessee et al.		leave is here-
1020.	vs. Appellants.	by granted
The Union & Planters Bank et al.		the Clerk to
	and	issue the man-
The State of Tennessee et al.		dates in this
1021.	vs. Appellants.	case.
The Bank of Commerce et al.		

Morris Bitty.		This cause was argued
1102.	vs. Pff in Error	by Mr. John C. Fay, of
The United States.		counsel for the plain-
		tiff in error, and Mr.

Assistant Attorney General Conrad, of counsel for the defendant in error.

1129. The United States. vs. The Union Pacific Railway Company et al. Appellant. Ordered by the Court that this cause be, and the same is hereby, re-assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

1126. John N. Reagan et al. Appts. vs. The Mercantile Trust Co. Trustee et al.

1128. John N. Reagan et al. Appts. vs. The Mercantile Trust Co. Trustee et al.

1161. John N. Reagan et al. Appts. vs. The Mercantile Trust Co. Trustee et al.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. C. U. Culbreath, Mr. H. C. Coke and Mr. W. S. Simkins, of counsel for the appellants, and Mr. John F. Dillon, Mr. E. B. Krutschnitt, Mr. John J. McCook and Mr. W. J. Pierce, of counsel for the appellees.

1170. John N. Reagan et al. vs. The Farmers Loan & Trust Co. Trustee, et al. Appellants. Appellees. This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. U. Culbreath, Mr. H. C. Coke,

and Mr. W. L. Watkins, of counsel for the appellants, and Mr. John B. Dillon, Mr. S. A. Southworth, Mr. John J. Mc. Cook, Mr. H. B. Turner, Mr. George C. Cook, and Mr. J. W. Perry, of counsel for the appellee.

Henry W. Lovell. vs. Iff. in Error. The Denver Land and Water Co.

194. The argument of this cause was commenced by Mr. Burton Hanchett, of counsel for the plaintiff in error, and continued by Mr. Henry W. Duffield and Mr. Dew W. Dickinson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

John M. Harlan
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

} Associate Justices.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened by

On motion first made to the Court in the behalf by Mr. Solicitor General Harrison it is ordered that Edwards Pitcher Carnes, of Cuyahoga, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in the behalf by Mr. Calderon Carlisle it is

ordered that E.P. Farrell, Esquire, of Lexington, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court & he was sworn accordingly.

Anthony P. Seberger, Collector of Customs for the Port & Dis-. trict of Chicago. vs. Plff. in Error. Daniel Castro.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice White.

Jesse Spalding, late Collector of Customs for the 3rd. and District of Chicago
v. Plff. in Error.
247 O. Castro.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, such interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice White.

The United States
v. Appellants.
248 Sidney J. Bridges.

On a certificate from the United States Circuit Court of Appeals for the Sixth Circuit.

This cause came on to be heard on the

certificate from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that each of the three questions certified should be answered in the negative. Whereupon, It is now here ordered by the Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Jackson.

The United States. Appeal from the
vs. Appellant. Court of Claims.
Robert S. Stubbs.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions

to disallow the item of $378.50, and for further proceedings in conformity with the opinion of this Court

per Mr. Justice Jackson.

The United States Shipping "Illinois" &c. Charles Henry Williams and Arthur Wilson, Claimants. Appellants. v. Schuyler Colfax & William N. Parsons et al. Appellees.

Appeal from the Circuit Court of the United States for the Southern District of New York.

293.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs: & that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

	S. D. Wilson, Treasurer of Routt County.		In Error to the Circuit Court of the
332	vs.	Pff. in Error.	United States for the
	The Valley Live Stock Company.		District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Brown.

	Theodore Lowndes.		In Error to the Circuit
117	vs.	Pff. in Error.	Court of the United States
	The Board of Trustees of the Town of Huntington.		for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

(Mr. Justice White was not a member of the Court when this case was argued, and took no part in its decision).

Vandy vs. West.
258. vs. Pffs. in Error.
William L. Cabell, James Mahoney, Philip Sawyer et al.

In Error to the Circuit Court of the United States for the Northern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and to order a new trial.

per Mr. Justice Gray.

The Pittsburgh, Cincinnati & St. Louis Railway Co., et al. vs. Appellants.
1112. The Keokuk & Hamilton Bridge Company.

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for oral argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Justice Harlan.

John Yourko. In Error to the Circuit Court
1192 vs. Writ in Error. of the United States for the West
The United States. new District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Western District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Harlan.

Max Schoenfeld et al. vs. Peffs. in Error. Francis Hendricks Collector of the Port of New York. In Error to the Circuit Court of the United States for the Southern District of New York.

067.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the

same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

(Mr. Justice Jackson was absent when this case was submitted and took no part in its decision).

The Union Pacific Railway Company. vs. Wilson T. Snyder, Administrator of William Dennis, dec'd. — In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Fuller.

(Mr. Justice Jackson did not hear the argument and took no part in the decision of this case).

Charles W. Howe. It is ordered by the
92. vs. Pepp. in Error. Court that the further
C. A. Smith et al. consideration of the
motion to dismiss in
this cause be, and the same is hereby, post-
poned to the hearing of the cause on its
merits. per Mr. Chief Justice Fuller.

Enos J. Popke. On consideration
122. vs. Appellant. of the motion to
Joseph B. Crowan, Sheriff etc. advance this
cause, It is now
here ordered by this Court that said motion
be, and the same is hereby, granted, and
the cause assigned for argument on the
second Monday of the next term, after
the cases next for assignment on that day.
per Mr. Chief Justice Fuller.

Victor Meyer et al. It is ordered by the
568. vs. Pepp. in Error. Court that this cause
Walter D. Richards. be, and the same is
hereby, reassigned
for argument on the second Monday of
the next term, after the cases next for

assigned for that day.

per Mr. Chief Justice Fuller.

Horace G. Otis, Pl'ff in Error,
vs.
The United States. } In consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

No. 1066.

John G. Mc. Kaw, Appellant,
vs.
U. A. Burstow, Appellee &c. } In consideration of the motion to advance this cause, and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the 23d inst. and, at the head of the call for that day.

The Chief Justice announced that the call of the docket will be suspended on Friday, April 29, and the Court will take a recess from Monday, April 30, to such date as shall be hereafter announced.

Order.

It is ordered that the Rules of Practice in Equity be, and they are hereby, amended by striking out in Rule 82 the words "both the judges" and in Rule 84 the words "both judges", and by inserting in each rule, in place of the words stricken out, the words "a majority of all the judges thereof, including the Justice of the Supreme Court, the Circuit Judges, and the District Judges for the District", so that said two rules, as amended, shall read as follows:

82.

The Circuit Courts may appoint standing masters in chancery in their respective districts, (a majority of all the judges thereof, including the Justice of the Supreme Court, the Circuit Judges, and the District Judge for the District, concurring in the appoint

unit) and they may also appoint a master pro hac vice in any particular case. The compensation to be allowed to every master in chancery for his services in any particular case shall be fixed by the Circuit Court, in its discretion, having regard to all the circumstances thereof, and the compensation shall be charged upon and borne by such of the parties in the cause as the Court shall direct. The master shall not retain his report as security for his compensation; but when the compensation is allowed by the Court, he shall be entitled to an attachment for the amount against the party who is ordered to pay the same, if, upon notice thereof, he does not pay it within the time prescribed by the Court.

84.

The Circuit Court (a majority of all the judges thereof, including the Justice of the Supreme Court, the Circuit Judges, and the District Judges for the District, sometimes sitting) may make any rules and further

rules and regulations for the practice, proceedings and fees, to be used in their respective districts, not inconsistent with the rules hereby prescribed, in their discretion, and from time to time alter and amend the same.

per Mr. Chief Justice Fuller.

In the matter of the application of Gustave A. Jahn and Co. 554

Mr. Solicitor Lee and Maxwell, submitted to the consideration of the Court a motion to advance this cause under the 33d Rule, (by) Mr. E. B. Smith, of counsel, submitted to the consideration of the Court a motion that if the cause be advanced that oral argument be allowed.

Thomas Thompson. 118.
vs. Pff. in Error.
The United States.

Mr. Solicitor General Maxwell, of counsel for the defendants in error, submitted to the consideration of the Court a motion to advance this cause.

Clyde Mallory. Mr. Solicitor General
1183 vs. Pff. in Error. Maxwell, of counsel
The United States. for the defendant in
error, submitted to
the consideration of the Court a motion to
advance this cause.

The Steam Yacht "Conqueror", &c. The petition
1184. vs. Appellant. for a writ
Frederick W. Vanderbilt. of certiorari
herein to the
United States Circuit Court of Appeals for
the Second Circuit was submitted to the
consideration of the Court on printed ar-
guments by Mr. Solicitor General Maxwell,
in support of the same, and Mr. Elihu Root,
and Mr. Samuel B. Clarke, in opposition
thereto.

Lorenzo A. Arnold et al. The motion to
911. vs. Appellants. dismiss in this
Charles A. Peabody et al. cause was sub-
mitted to the
consideration of the Court on a printed
argument by Mr. Charles M. Dawson, and

Mr. Walter S. Logan, in support of the same.

F. B. Ostrom. vs. Pff. in Error. The State of Florida.

Mr. John E. Hartridge, of Counsel for the Plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

J. Irving Brooks, Executor &c. vs. Appellant. F. A. Raymond.

The petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit was submitted to the consideration of the Court on printed arguments by Mr. Francis J. Wing, in support of the same, and Mr. Lawrence Maxwell Jr, in opposition thereto.

Herman Sturm. vs. Appellant. P. A. Baker et al.

Mr. A. H. Garland, in behalf of counsel for the appellants, filed an order by the Court that the order suspending the issuing of the mandate in this cause be, and the same is hereby, vacated.

John G. Davis et ab. vs. Appellants. John H. Schwartz et ab. — Wm. Daniel Shearn, of counsel for the appellees, suggested the death of Catherine Schwartz, one of the appellees herein, and moved the Court to make John Downs, Executor of the said Catherine Schwartz, a party appellee. Whereupon, it is now here ordered by the Court that the said John Downs, Executor of Catherine Schwartz, deceased, be, and he is hereby made a party appellee in this cause.

369 John G. Davis et ab. vs. Appellants. John H. Schwartz et ab. — The motions to dismiss this appeal as to Frank B. Kent and John Downs, Executor of Catherine Schwartz, deceased, appellees herein, were submitted to the consideration of the Court on the record and printed arguments by Wm. Daniel Shearn, in support of the same, and Wm. John W. Noble and Wm. James C. Davis, in opposition thereto.

J. S. Noble et ab.
vs. Pltff. in Error.
S. W. Mitchell.

Mr. Charles A. Peabody, of counsel for the defendant in error, submitted to the consideration of the Court a motion to docket and dismiss this cause.

Henry W. Lovell.
vs. Pltff. in Error.
The Pomona Land & Water Co.

The argument of this cause was continued by Mr. Lewis H. Dickinson, of counsel for the defendant in error, and concluded by Mr. George F. Edmunds, of counsel for the plaintiff in error.

The Interstate Commerce Commission.
vs. Appellant.
W. G. Brimson et ab.

The argument of this cause was commenced by Mr. Solicitor General Maxwell, of counsel for the appellant, and continued by Mr. S. Burnett Rhodes, of counsel for the appellees.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, April 17th, 1894.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Clyde Mueller. Plff. in Error.
v.
The United States.
155. On motion of Mr. L. T. Michener, of counsel for the plaintiff in error,

It is ordered by the Court that the transcript of the record in this cause be printed at the expense of the United States.

The Interstate Commerce Commission. Appellants.
183. v.
W. G. Brimson et al.

The argument of this cause was continued by Mr. E. Purman Prentice, of counsel for the appellees, and concluded by Mr. George P. Edmunds, of counsel for the appellants.

184. Nelson P. Evans, Plff. in Error, vs. The United States.
185. Nelson P. Evans, Plff. in Error, vs. The United States.

The argument of these cases was commenced by Mr. H. L. Carson, of counsel for the plaintiff in error, and continued by Mr. Assistant Attorney General Conrad, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion filed made to the Court in this behalf by Mr. J. L. Rawlins it is ordered that John M. Zuck, Esquire, of Salt Lake City, Territory of Utah be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

142. Nelson E. Evans, Plff in Error, vs. The United States.
143. Nelson E. Evans, Plff in Error, vs. The United States.

The argument of these cases was continued by Mr. Assistant Attorney General Conrad, of counsel for the defendant in error; and concluded by Mr. H. L. Carson, of counsel for the plaintiff in error.

18. United States,
vs. Plff. in Error.
The City of Watertown.

The argument of these cases was commenced by Mr. C. H. Warren, of counsel for the plaintiff in error, continued by Mr. G. W. Bird, of counsel for the defendant in error, and concluded by Mr. G. A. Jenks, of counsel for the plaintiff in error.

378. Jacob C. Adams.
vs. Appellant.
The Tacoma Land Co.

153. Milton L. Bacon.
vs. Plff. in Error.
Mercer Brothers Co.

The argument of these cases was commenced by Mr. C. H. W. Allen, of counsel for the appellant, and plaintiff in error.

Further motions being made the Court is adjourned until to-morrow at twelve o'clock.

Marshal to adjourn the Court until to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Stephen J. Jackson.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

No. 1. Jacob B. Mann, Appellant, vs. The Tacoma Land Co.
No. 3. United States ex rel. Bro., vs. Mexican Central Ry. Co.

The argument of these cases was continued by Mr. P. H. McPherson, of counsel for the appellant and plaintiff in error, Mr. John F. Mitchell, of counsel for the plaintiff in error and Mr. Samuel Dickson and Mr. Frederick D. McKenney, of counsel for the appellee, in con-

cluded by Mr. Edward B. Smith, Q.C., counsel for the appellant.

Michael Morgan et ux. vs. Pope in Error. The argument of this cause was concluded by Mr. E. B. Brown, Q.C., of counsel for the plaintiffs in error.

192. Edward D. Morgan, Executor &c.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John R. Dos Passos it is ordered that John W. Goatley, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was admitted accordingly.

On motion first made to the Court in this

February by Mr. R. A. Benedict it is ordered that Rollin B. Mallory, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Richard Moran et al. vs. Pepp. in Error. Frank W. Hunger, Receiver &c. 872.

The argument of this cause was continued by Mr. James M. Eaton, of counsel for the defendant in error, and concluded by Mr. R. A. Benedict, of counsel for the plaintiffs in error.

The Eagle Insurance Co. of Cincinnati et al. vs. Pepp. in Error. The State of Ohio ex rel. W. H. Snider, Superintendent &c. 1051.

The argument of this cause was commenced by Mr. Brewer M. Kelley, of counsel for the plaintiffs in error. The Court declined to hear further argument.

Orders having been made the Court is adjourned until Monday next, at twelve o'clock.

Monday, April, 23d, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.

Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer.
Henry B. Brown.
George Shiras Jr.
Howell E. Jackson.
Edward D. White.

Associate Justices

John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. B. Whitney it is ordered that James P. Pigott, Esquire, of New Haven, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. J. M. Richards it is ordered that William R. Ellis, Esquire, of Hoffman State of Oregon, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Richards it is ordered that John L. Lott, Esquire of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States. Appeal from the Circuit Court
1066 vs. Appellant. of the United States for the
C. Klingensmith et al. Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the

same is hereby, reversed: and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in conformity with the opinion of this Court.

per Mr. Justice Jackson.

J. H. Hegler. In Error to the
166 v. Peff in Error. Circuit Court of
George Faulkner, James the United States
Gothier, Augustus Schonhoid, for the District
and Edwin S. Towle. of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

The Steamship "Brittania" La Soc-
iété Française de Navigation a
Vapeur, Appellant Petitioner
ners, Claimants.

vs. Appellants.

Elizabeth Clegg, Executrix of
George Clegg, deceased.

Appeal from the
Circuit Court
of the United
States for the
Southern Dis-
trict of New
York.

340.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs in this Court against Elizabeth Clegg, Executrix only; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in accordance with the opinion of this Court.

per Mr. Justice Shiras.

Dissenting:

Mr. Justice Brown.

The Steamship "Britannia," La Compagnie Française de Navigation a Vapeur, Cyprien Fabre et Compagnie, Claimants.		Appeal from the Circuit Court of the United States for the Southern District of New York.
341.	vs. Appellants.	
John Lucas Cotton.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs in this Court against Elizabeth Clough, Executrix, only; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in accordance with the opinion of this Court.

per Mr. Justice Shiras.

Dissenting:

Mr. Justice Brown and

Mr. Justice Jackson.

La Compagnie Francaise de Navigation a Vapeur, Cyprien Fabre et Compagnie. Appeals from the Circuit
vs. Court of the
The Steamship "Bencomfield" etc., United States
Elizabeth Vaught, Executrix of for the South-
George Vaught, deceased, Claimant. ern District
of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs in this Court, against Elizabeth Vaught, Executrix only: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in accordance with the opinion of this Court.

per Mr. Justice Shiras.

Dissenting:

Mr. Justice Brown &

Mr. Justice Jackson.

Henrietta Louise Lilz & Horace E. Deming, Administrators of the goods, chattels & credits of Louis Lilz, deceased.

336. vs. Pffs. in Error.

Daniel Magone, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern Dis trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brown.

Charles H. Magone.

343. vs. Appeal.

Wm. H. Daniels.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Brewer.

(Mr. Justice Jackson did not hear the argument or take any part in the decision of this case).

326. John W. Burke. Appeal from the
vs. Supreme Court
Richard H. Dulaney & John of the Territory
Southgate Lemmon, Executors of Idaho.
of H. Grafton Dulaney, dec'd.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration

whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Idaho, for further proceedings to be had therein in conformity with the opinion of this Court.

Mr. Justice Harlan.

Robert L. Wharton. vs. John H. Wise, Sheriff of Accomack County, Virginia. Appellant. Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

	Joel B. Erhardt, Collector of the Port of New York.	In Error to the Circuit Court of the
384.	vs. Eff. in Error.	United States for
	Louis Steinhardt, Morris Steinhardt & Henry Steinhardt.	the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Fuller.

	John T. Davis et ux.	It is ordered by
369.	vs. Appellants.	the Court that
	John H. Schwartz et ux.	the further con-
		sideration of

the motions to dismiss this appeal on the

Frank B. Kent, and John Downs, Executors of Catherine Schmidt, deceased, appellees herein &c, and the same is hereby, postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Fuller.

Leonora A. Arnold and Thomas A. Arnold, her husband. vs. Appellants. Charles A. Cheesbrough, individually & as Executor & Trustee of Margaret Cheesbrough et al. Appeal from the Circuit Court of the United States for the Eastern District of New York.

111

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and on a motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

574. In the matter of the application of Gustavus A. Gahn & Company. On consideration of the motion to advance this cause and that on oral argument of the same be allowed, It is now here ordered by the Court that said motion to advance be, and the same is hereby, granted, and the cause will be taken on printed briefs to be submitted within two days, or otherwise the case will stand for argument on the second Monday of the next term after the cause herein before assigned for that day, counsel being limited to one hour on each side.

per Mr. Chief Justice Fuller

1118. Simon Shimpon vs. Off. in Error. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cause first therein assigned for that day.

It is further ordered that leave be, and the same is hereby, granted to prosecute this cause in forma pauperis.

per Mr. Chief Justice Fuller.

J. Murray Brooks, Executor &c.		On a petition for a
Trustee of estate of Robert		writ of certiorari
Hanna, deceased.		to the United States
1147] vs.	Appellant.	Circuit Court of
F. A. Reynolds.		Appeals for the
		Sixth Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Clyde Mattox.		On consideration of
155] vs.	Petn. in Error.	the motion to advance
The United States.		this cause, It is now
		here ordered by the

Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term after the cases heretofore, so assigned for that day.

per Mr. Chief Justice Fuller.

U.S. Petitioner
vs. Writ of Error.
The State of Florida.

[162.]

The counsel for the motion to advance in this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Stephen A. Ballis et al. Appellants
vs. In Equity.
Howard M. Troop et al.

[91.]

It is ordered by the Court that this cause be, and the same is hereby, restored to the docket for re argument, and if counsel desire, may be submitted on the briefs already filed, or additional briefs.

on or before the 27th inst.

for Mr. Chief Justice Fuller.

C. F. Seeberger, Collector etc.
346 vs. Pff. in Error.
Daniel Castro.

On motion of Mr. Solicitor General Maxwell, of counsel for the plaintiffs in error leave is hereby,

Jesse Spalding, late Collector etc.
347 vs. Pff. in Error.
O. Castro.

granted the Clerk to issue the mandates in these cases.

Max Schoenfeld et al.
367 vs. Pffs. in Error.
Francis Hendricks, Collector etc.

On motion of Mr. Solicitor General Maxwell, of counsel for the defendant in error, leave is hereby, granted the Clerk to issue the mandate in this cause.

368 Royal Insurance Co. Pff. in Error, vs. The United States
369 William Ermins, Pff. in Error, vs. The United States
370 James Ermins Pff. in Error, vs. The United States

Mr. Solicitor General moved for the defendant's error, submitted to the consideration of the Court motion to advance these cases.

	Asa C. Potter.	Mr. Solicitor General mov-
39.	vs. Pff. in Error.	ed, of counsel for the
	The United States.	defendant in error, sub-
		mitted to the considera-

tion of the Court a motion to advance this cause, and leave was granted counsel for the plaintiff in error to file print- ed brief in opposition thereto within three days.

	Nicholas Mazarakos.	Mr. Solicitor Gener-
78.	vs. Pff. in Error.	al Maxwell, of coun-
	The United States.	sel for the defend-
	The Sioux City & Pacific Ry. Co.	ant in error, has
110.	vs. Appellant.	submitted motion
	The Interstate Commerce	to the con-
	Commission.	sideration of
	William Dunbar.	the Court mo-
1191.	vs. Pff. in Error.	tions to advan
	The United States.	ce these cases.

J. M. White et al.		On motion of Mr.
256	vs. Writ of Error.	John J. Weed, of
Kingman & Company.		counsel for the plaintiffs in error, leave

is hereby granted the Clerk to issue the mandate in this cause.

The Boston Refrigerating Co.		The motion to
1884.	vs. Appellant.	advance this
Ferdinand Sulzberger et al.		cause was

submitted to the consideration of the Court on printed arguments by Mr. James C. Carter and Mr. C. E. Mitchell, of counsel for the appellant, and Mr. Wheeler H. Peckham, Mr. Edmund Wetmore and Mr. L. E. Curtis, of counsel for the appellees.

Ex parte: In the matter of		Mr. Hugo D. Black,
The New York & Porto Rico		of counsel, sub-
Steamship Company.		mitted to the
Petitioner.		consideration

of the Court a motion for leave to file a petition for a writ of prohibition herein.

28. Joseph B. Sargent et al. vs. Appellants. James C. Covert. Mr. Francis Brooke, of counsel for the appellants, submitted to the consideration of the Court a motion for an order granting leave to the Clerk to issue the mandate in this cause.

1171. The Franklin Savings Bank et al. vs. Appellants. Robert C. Taylor et al. A petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit was submitted to the consideration of the Court on printed arguments by Mr. E. L. Hopkins, in support of the same, and Mr. W. H. Swift and Mr. Thomas D. Jones, in opposition thereto.

1182 E. P. Miller vs. Plff. in Error. The State of Texas. The motion to dismiss in this cause was submitted to the consideration of the Court on printed arguments by Mr. C. A. Culberson in support of the same, and Mr. Jo Abbott, in opposition thereto.

Atlanta Rebbits. This cause was sub-
1044. vs. Pepp in Error. mitted to the consid-
Walter P. Lewis. eration of the Court
on the record and
printed arguments by Mr. W. L. Harwood and
Mr. John H. Ames, of counsel for the plaintiff
in Error, and Mr. J. M. Woolworth and Mr.
C. B. Burr, of counsel for the defendant in
error.

Orsimus R. Ashley et al. Ordered by the Court
888. vs. Pepp. in Error. That this cause be,
David J. Ryan, Secretary of and the same is
State of the State of Ohio. hereby re-assigned
for argument on
Thursday next at the head of the call.

The New York, Lake Erie & Western Railroad Co.
775. vs. Pepp. in Error.
The Commonwealth of Pennsylvania.

The New York, Lake Erie & Western Railroad Co.
779. vs. Pepp. in Error.
The Commonwealth of Pennsylvania.

The New York, Lake Erie & Western Railroad Co.
591. vs. Pepp. in Error.
The Commonwealth of Pennsylvania.

The argument of these cases was commenced by Mr. S. F. Phelps of counsel for the plaintiff in error, continued by Mr. W. B. Hornor, of counsel for the defendant in error, & concluded by Mr. M. E. Olmsted, of counsel for the plaintiff in error.

John Y. Mc. Kane. } This cause was sub-
185. vs. Appellant. } mitted to the consid-
G. H. Burlow, Ogeil &c. } eration of the Court
on the record and
a printed argument by Mr. [illegible],
and Mr. E. M. Shepard, of counsel for the
appellee, with leave to counsel for the ap-
pellant to file a printed argument on
or before Friday next.

Next adjournment being made the Court is adjourned until To-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller Chief Justice.
Stephen J. Field
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras Jr.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wilkinson Call it is ordered that O. W. Cockrell, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. H. D. Lockwood it is ordered that Louis Henry Legg, Esquire, of the City of Washington be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States. vs. Appellant.
136. The Steamship Kingston "Republic," etc.

On motion of the Solicitor General leave is granted the appellant, It is ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument at the foot of the calls for Wednesday, the 25th instant.

In the matter of the Petition of Belva A. Lockwood. Petitioner.

Mr. Joseph Chamberlain, of counsel for the petitioner, submitted to the consideration of the Court a motion for leave to file a petition for a writ of mandamus herein

A. Schwartz & Sons et al.		The petition for
315.	vs.	a writ of certiorari herein to the
The H. B. Claflin Company.		United States

Circuit Court of Appeals for the Fifth Circuit was submitted to the consideration of the Court on printed arguments by Mr. W. Mallett Phillips for the Petitioners and Mr. E. S. Washburn in support of the same and Mr. W. W. Howe, in opposition thereto.

Pullman's Palace Car Co.		This cause was sub-
344.	vs.	mitted to the con-
Jeannie Campbell.		sideration of the

Court on the record and printed arguments by Mr. John S. Runnells and Mr. William Burry, of counsel for the plaintiff in error and Mr. William L. Foy of counsel for the defendant in error.

The Chicago Detroit Canal Co.		This cause was
345.	vs.	submitted to the
John McCrum, Receiver &c.		consideration of

the Court on the record and printed arguments by Mr. Chas.

L. Paddock and Mr. H. D. Gilbert, of counsel for the appellant, and Mr. Wells H. Blodgett, of counsel for the appellee.

The Mobile & Ohio Railroad Company et al.
vs. Pipp. in Error.
The State of Tennessee et al.

504.

The argument of this cause was commenced by Mr. E. J. Phelps, of counsel for the plaintiffs in error, continued by Mr. S. W. Pickle, Mr. W. W. Heiskell and Mr. J. W. Wood, of counsel for the defendants in error, and concluded by Mr. F. W. Whitridge, of counsel for the plaintiffs in error.

Proclamation being made, the Court is adjourned until To-morrow at Twelve o'clock.

Wednesday, April 25th, 1894.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Keystone Manufacturing Co. On motion of
56] v. Appellant. Wm. J. C. Black,
Henry A. Adams. in behalf of
counsel for
the appellant, leave is duly granted the
Clerk to issue the mandate in this cause.

The Covington & Cincinnati Bridge Company

125. vs. Aff. in Error.

The Commonwealth of Kentucky.

The Covington & Cincinnati Elevated R.R. & Transfer Co. et al

143. vs. Aff. in Error.

The Commonwealth of Kentucky.

The argument of these cases was commenced by Mr. Lawrence Maxwell Jr., of counsel for the plaintiff in error in No. 125, continued by Mr. William Goebel and Mr. William J. Hendricks, of counsel for the defendant in error, and concluded by Mr. U. F. Jackson, of counsel for the plaintiff in error in Mr. 143.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.
John W. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Don M. Dickinson it is ordered that Hugh C. Lord, Esquire, of Erie, State of Pennsylvania, Jay P. Bancroft, Esquire, of Washington, District of Columbia, Thomas Nisbet, Esquire, of Paducah, State of Michigan, and Russell C. Thomas, Esquire, of Lansing, State of Michigan, be admitted

to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. C. Broadhead it is ordered that Gardiner Lathrop, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Louisa M. Craig, Administratrix &c.	In Error to the Circuit Court of the United
553. vs.	States for the District
The Island Carbon Co. (Limited)	of West Virginia.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed, Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

Jessica O. Ashley et al.
vs. } Pltfs in Error.
Daniel J. Ryan, Secretary of State of the State of Ohio.

This cause was argued by Mr. J. K. Richards, of counsel for the defendant in error, and submitted on a printed argument by Mr. Henry Crawford, of counsel for the plaintiffs in error.

Norman Brass.
vs. } Pltf in Error.
The State of North Dakota ex rel. Louis W. Hanson.

This cause was argued by Mr. W. B. Brownell, of counsel for the plaintiff in error, and Mr. H. E. Paine, of counsel for the defendant in error.

Thomas H. Mason et al
vs. } Appellants.
The Peninsular Mining Co., et al.

On motion of Mr. Russell B. Co- it is hereby granted leave to file a printed brief herein on behalf of certain parties in interest.

Thomas H. Mason et ab. The argument of
S.H. vs. Appellants. this cause was
The Peerless Mining Co., et ab. commenced by
Mr. Wm. M. Dickinson, of counsel for the appellants

Proclamation being made the Court is ad-
journed until to-morrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan.
Horace Gray.
Samuel F. Blatchford. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.
John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Stephen A. Ralli et al. vs. Appellants. Howard O. Troop et al. 297. This cause was resubmitted to the consideration of the Court on the record and printed arguments by Mr. Sidney Chubb of counsel for the appellants, and Mr. Marvin Hewitt, of counsel for the appellees.

Thomas H. Watson et al. vs. The Pewabic Mining Co., et al. Appellants. Appellees. 341.

The argument of this cause was continued by Mr. Don M. Dickinson, of counsel for the appellants, and Mr. Thomas N. Talbot, of counsel for the appellees, and concluded by Mr. Don M. Dickinson, of counsel for the appellants.

The United States vs. The Steamship "Stephen Republic," &c. Appellant. Appellee. 136.

This cause was argued by Mr. Assistant Attorney General Whitney, of counsel for the appellant, and Mr. John H. Mitchell, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Wilkins W. Butler, Chief Justice.

Stephen J. Field.
John M. Harlan.
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices
George Shiras, Jr.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Burr Butterworth it is ordered that James R. Chaffin, Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in

this being by Mr. Williams Wynkoop it is ordered that David Keane, Esquire, of New York City, be admitted to practice as an Attorney and Counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. C. M. Cooper it is ordered that Isaac A. Hamill, Esquire, of Leland, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

William Runkle & Harry G. Runkle, Administrators of Daniel Runkle, deceased. vs. Pltffs. in Error.
Santiago J. Benedicto, who sues for the use of Francisco J. Medina.

In Error to the Circuit Court of the United States for the District of New Jersey.

266

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by Counsel

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New Jersey.

per Mr. Justice White.

The Northern Pacific Railroad Company. vs. Appellant.
A. G. Clark, County Auditor of Kidder County, North Dakota et al.

On a certificate from the United States Circuit Court of Appeals for the Eighth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the bill was rightly dismissed because of the failure to aver that the plaintiff had tendered or paid the gross earnings percentage for the year 1888 and

the Tax assessed by the County authorities) and was not entitled to the equitable relief prayed without first tendering or paying such Taxes.

Whereupon, It was ordered by the Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Jackson.

Dissenting:
Mr. Justice Brewer.

Jacob C. Ware. Appeal from the Circuit Court
v. Appellant. of the United States for the
376. The Fresno Land Company. District of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Washington, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

	William L. Baer.	In Error to the Supre-
583	vs.	me Court of the State
	Plff. in Error.	of Washington.
	Moran Brothers Com-	
	pany (Limited).	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

	J. W. Brennan.	In Error to the Supre-
702	vs.	me Court of the State
	The City of Titusville.	of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that

the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

E. G. Hamrick
vs. Appellant.
Nicholas Hamrick, Annie Hamrick et al.

337 Appeals from the Circuit Court of the United States for the Northern District of Texas.

Nicholas Hamrick, Annie Hamrick et al.
vs. Appellants.
E. G. Hamrick, E. J. Gurley et al

338 Appeals from the Circuit Court of the United States for the Northern District of Texas.

William Brady, Philip O'Brien, et al.
vs. Appellants.
E. G. Hamrick, E. J. Gurley et al.

339

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, and

judged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs of the three appeals against William Brady: and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to render judgment against him for costs in that Court and to remand the cause to the State Court.

Per Mr. Justice Gray.

Morris Bixby, Plff. in Error, vs. Wm. Brady, Deft. in Error. } In Error to the District Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause upon the first count be, and the same is hereby, reversed: and that this cause be, and the same

is hereby, remanded to the said District Court with directions to enter judgment upon that court. It is further ordered that the judgment of the said District Court in this cause be, so far as it relates to the third count, and the same is hereby, affirmed. per Mr. Justice Harlan.

The Chief Justice announced that the Court would adjourn from to-day until Monday, May, 14th, next.

The Steam Yacht, "Conqueror," etc. Appellant.
vs.
Frederick W. Vanderbilt.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1192.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon heard, as well in support as against the same, It is now here ordered by the Court that said petition be, & the same is hereby, granted. per Mr. Chief Justice Fuller.

	J. Hardin et al vs. Opps. in Error. S. Wm. Mitchell.	On consideration of the motion to docket and dismiss this cause, It is now

here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

278.	Joseph B. Sargent et al. vs James C. Covert.	On consideration of the motion for an order granting leave to the Clerk

to issue the mandate in this cause. It is now here ordered by the Court that said motion be, & the same is hereby, granted.

per Mr. Chief Justice Fuller.

715.	Royal Ingraham. vs. Opp. in Error. The United States.	On consideration of the motion to advance this cause, It is now here or-

dered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the

cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

1716. William Grimm, Plff. in Error, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the first Monday of November next.

per Mr. Chief Justice Fuller.

1014. James Connors, Plff. in Error, vs. The United States. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

Asa P. Potter. On consideration of the
134. vs. Eff. in Error. motion to advance this
The United States. cause, It is now here
ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of November next.

per Mr. Chief Justice Fuller.

Nicholas Mazarkos. On consideration of
198. vs. Eff. in Error. the motion to ad
The United States vance this cause,
It is now here ordered by the Court that said motion be, and the same is hereby granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

The Texas & Pacific Ry. Co. On consideral-
110 vs. Appellant. tion of the motion
The Interstate Commerce to advance this
Commission. cause, It is now

here ordered by the Court that said motion be, and the same is hereby, granted, & the cause assigned for argument on the second Monday of the next term, after the cause heretofore assigned for that day.

per Mr. Chief Justice Fuller.

William Lambert. vs. The United States. Eff. in Error. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of December next.

per Mr. Chief Justice Fuller.

1894. The Bate Refrigerating Co. vs. Ferdinand Sulzberger &c. Appellant. On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the first Monday of

number next, after the cause hereinafore assigned for that day.

per Mr. Chief Justice Fuller.

Pullman's Palace Car Company.	In Error to the Circuit Court of the United
vs. Pff. in Error.	States for the Northern
Minnie Campbell.	District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Iowa, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

Ex parte: In the matter of The New York & Porto Rico Steamship Co. Petitioners. On consideration of the motion for leave to file a petition for a writ of prohibition herein, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The New York and Porto Rico Steamship Company. Petitioner. On consideration of the petition of The New York and Porto Rico Steamship Company.

It is now here ordered by the Court that same be shown by the District Court of the United States for the Southern District of New York, and the Honorable Addison Brown, Judge of said District Court, upon the first Monday of Washington, on the second Monday of October next, at 12 o'clock noon of said day, or as soon thereafter as counsel can be heard, why a writ of prohibition should not be granted, as prayed in said petition.

per Mr. Chief Justice Fuller.

	I. Schwartz & Sons,	Ord petition for a writ
	vs.	of certiorari to the United
345.	W. Peffo. in Error.	States Circuit Court of Ap-
	The H.B. Claflin Company.	peals for the Fifth Circuit.

Ord consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

	The Pennsylvania Railroad Co. et al.	It is order-
360.	vs. Peffo. in Error.	ed by the
	Thomas W. Jones.	Court that
	&	these cases
	The Pennsylvania Railroad Co. et al.	be, and
361.	vs. Peffo. in Error.	they are
	Charles P. Stewart.	hereby, re-
		stored to

the docket for re-argument.

per Mr. Chief Justice Fuller.

Ex parte: In the matter of The City National Bank of Fort Worth, Texas.

Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, and of the argument of counsel in support of the same, It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Bradley Fertilizer Company, Appellant,

v. Appellant.

The Schooner Edwin J. Morris-on, her Tackle &c., Stephen S. Lavender Claimants.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof It is now here ordered by this Court that the decree of the said Circuit Court in this cause be, and the

is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter a decree for libellants for the amount found due by the District Court, with interest and costs.

Per Mr. Chief Justice Fuller.

Mr. Justice Brewer not hearing heard the argument, and Mr. Justice White not being a member of the Court when the hearing was had, took no part in the consideration and decision of this case).

The State of California, Complainant. vs. Southern Pacific Company. On motion of the State of California, by its Attorney General,

on this day, hearing been considered;

It is hereby ordered that depositions heretofore placed in the custody of the Clerk of this Court, as taken in this cause, may be opened and filed, together with the map exhibits therein referred to.

And it is further ordered that William J. Tilney, Esq., of the District of Columbia be,

and he is hereby, designated and appointed a commissioner to take testimony herein, and he is hereby empowered and instructed to take and return such testimony as may be offered by either of the parties hereto, and to receive and return such documents and maps as the value of the alleged title of the City of Oakland, as said city may deem proper to offer, pursuant to the order of this Court made herein on March 12, 1894.

It is further ordered that said commissioner notify the respective parties and the City of Oakland of his appointment; and thereupon, within ten days thereafter, or as soon as convenient, he shall proceed to take such evidence as either of the parties hereto may produce, and he shall receive and take such documents and maps as may be offered by the City of Oakland under said order of March 12, 1894, as hereinbefore specified: and that the taking and receiving of said evidence, documents and maps shall be completed and certified by said commissioner and forwarded to the Clerk of this Court on or before the first Monday of

December, 1894; upon the receipt whereof the Clerk is hereby instructed to open and file the same.

It is further ordered that on hearing the record it shall not be necessary for the Clerk to print copies of map exhibits: provided, there shall be furnished to the Court a sufficient number of map exhibits as required by the rules: and that the parties hereto, and the City of Oakland, are hereby permitted, during the vacation of this Court, to file their briefs and points in said cause with the Clerk without the further order of the Court: and that the question of setting said cause for hearing is hereby reserved until the next term.

Per Mr. Chief Justice Fuller.

1894. The Panama Railroad Company, vs. Appellant, The Pacific Shipping Company, Limited. The petition for a writ of error to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the

Court on printed arguments by Mr. David Kerr and Mr. W. C. Goudy, in support of the same, and Mr. Williams Hendersen in opposition thereto.

Henry A. Morgan, as Vice-President of the New York Elevated R.R. Co. vs. Sup. in Exec. Sigismund C. Halberstadt.

The petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit was submitted to the consideration of the Court on printed arguments by Mr. John G. Jenkins, in support of the same, and Mr. Robert L. Ingersoll and Mr. [illegible] in opposition thereto.

The Detroit City Railway et al. vs. The City of Detroit. Appellants. 83.

The motion to dismiss or affirm in this cause were submitted to the consideration of the Court on printed arguments by Mr. C. A. Kent, in support of the same, and Mr. Henry M. Duffield and Mr. John C. Donnelly, in opposition thereto.

The motion for leave to supplement the

transcript of the record herein was submitted to the consideration of the Court by Mr. Henry M. Ruffner and Mr. John C. Donnelly, in support of the same.

The United States, ex rel: The International Contracting Co. vs. Pfff. in Error. Daniel S. Lamont, Secretary of the Department of War. Mr. W.W. Dudley of counsel for the plaintiff in error, submitted to the consideration of the Court a motion to advance this cause.

Wilson Hunter & C.C. Harris vs. Pfff. in Error. The First National Bank, of Chattanooga, Tennessee. In Error to the United States Circuit Court of Appeals for the Fifth Circuit.

This cause having been called to the attention of the Court by Mr. Wm. A. Maury, in behalf of counsel, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered and adjudged by this Court that the writ of error in this

cause be, and the same is hereby dismissed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court of the United States for the Northern District of Alabama.

Per Mr. Mr. Justice Fuller.

No. William Hamm & C.C. Harris. vs. Appellees in Error. The First National Bank of Chattanooga, Tennessee. On motion of Mr. William L. Murray in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

No. Charles C. Worthington et al. vs. Appellees in Error. The City of Boston. On motion of Mr. William L. Murray, in behalf of counsel, leave is hereby granted the Clerk to issue the mandate in this cause.

No. The United States. vs. Appellant. Robert S. Hudson. On motion of Mr. C.C. Lancaster, of counsel for the appellee, leave is hereby granted the Clerk to issue the mandate in this cause.

Mary C. Greeley, Executrix etc. vs. Appellants. W. St. Louis et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel Hoar and Mr. Henry C. Kinsman of counsel for the appellants, and Mr. Isaac H. Stewart and Mr. E. K. Foster, of counsel for the appellees.

The State of Connecticut ex rel: The New York & New England R.R. Co. vs. Pffs. in Error. Wm. H. Woodruff et al Commissioners etc.

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Henry C. Robinson, in support of the same, and Mr. Truman E. Doolittle, in opposition thereto.

The Atlantic & Pacific R.R. Co. vs. Pffs. in Error. Mary J. Laird. 1113.

The motion to dismiss or affirm in this cause was submitted

to the consideration of the Court on the motion and printed arguments of Mr. Thomas A. Smyth in support of the same and Mr. J. P. Britton and Mr. A. B. Browne, in opposition thereto.

Proclamation being made the Court is adjourned until Monday May 7th next, at twelve o'clock.

Monday, May, 11th, 1891.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice.
Stephen J. Field.
John M. Harlan
Horace Gray.
David J. Brewer. Associate
Henry B. Brown. Justices.
George Shiras, Jr.
Howell E. Jackson
Edward D. White.
John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this way by Mr J. M. Dolph it is ordered that Howard J. Wood, Esquire, of Owego, Tioga County, State of New York, be admitted to practice as an attorney and counsellor of this Court, & he was sworn accordingly.

On motion first made to the Court in

Thereupon by Mr. J.P. Weinstock it is ordered that A. Brooks Walker, Esquire, of Scranton, State of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W.F. Vilas it is ordered that Henry A. Wakefield, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. O.H. Lockwood it is ordered that Louis H. Gillette, Esquire, of Rochester, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.H. Garland it is ordered that John W. Blackwood, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney & Counsellor of this

Court, and he was sworn accordingly.

The Eagle Insurance Company, of
Cincinnati, by John K. Green, President
& Samuel A. Robb, Secretary. In Error to
the Supreme
vs. Pets. in Error. Court of the
The State of Ohio ex rel: W.H. Kinder. State of Ohio.
Superintendent of Insurance of
the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

Martha Groves, William J.
Groves & Thomas H. Ryan, Ad-
ministrator of Rosetta Rhea, dec'd. Appeal from the
Circuit Court of
vs. Appellants. the United States
for the Southern
Morgan W. Scudder, Wm. Francis District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree directing the payment to Martha Brown and William J. Graves out of the fund in the registry of the Court the sum of $14,872, with interest at 8 per centum per annum from March 5, 1884 until paid, with costs in that Court.

per Mr. Justice White.

(Mr. Justice Jackson not having been present at the argument took no part in the decision of this case).

Lorian K. Corbin, Thomas H. Hubbard, James P. Low & Edgar T. Wells. vs. Wells. in Error. } In Error to the Supreme Court of the State of Ohio

David J. Ryan, Secretary of State, of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice White.

Henry W. Lovell. vs. Pere. in Error. } In Error to the Circuit Court of the United States for the Eastern District of Michigan.

The Pomona Land & Water Company.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan and was argued by

counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, costs paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Per Mr. Justice Jackson.

The Chicago Deposit Vault Company, Appellant, from the
345. vs. Appellant. Circuit Court of
John M. Nutt, Receiver; The the United States
Detroit Western Railway for the Northern
Company, James F. Joy, et al. District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

The Mobile & Ohio Railroad Company, & The Farmers' Loan and Trust Company. vs. The State of Tennessee & The Counties of Obion, Gibson, Madison, Fayette, and Tipton. County.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Jackson.

Dissentiens:

Mr. Chief Justice Taney, Mr. Justice Grier, Mr. Justice Campbell, Mr. Justice Nelson & Mr. Justice Curtis.

	Adeline B. Moreland, Administratrix of Edward D. Moreland, deceased.	On Error to the Court of Common Pleas, No. 3, for the County of Philadelphia, State of Pennsylvania.
221.	vs.	
	The Pennsylvania Railroad Company.	

This cause came on to be heard on the transcript of the record from the Court of Common Pleas No. 3, for the County of Philadelphia, State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Common Pleas in this cause be, and the same is hereby affirmed with costs.

Mr. Justice Harlan

	The Yale Iron Works.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
253	vs.	
	David R. Fraser, Thomas Graham & Norman K. Scoville	

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

John Stewart. In Error to the Circuit
vs. Peff in Error. Court of the United
Benjamin N. Barnes Executor States for the East-
of William N. Barnes, deceased, ern District of
late Collector of Internal Revenue. Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

Anthony Eckhoyer, Collector of Customs for the Port & District of Chicago.
vs. Error to the Circuit Court of the United States for the Northern District of Illinois.
John Schweyer.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for origin al plaintiff.

per Mr. Justice Shiras delivering the opinion of the Court.

The Postal Telegraph Cable Co.
vs. Appeal.
The City Council of Charleston, William L. Campbell, and Allen E. Davis.
Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Shiras.

Dissenting:

Mr. Justice Harlan.

Mr. Justice Brewer.

Mr. Justice Jackson.

Norman Brass. vs. Deft. in Error. The State of North Dakota ex rel: Louis W. Hoeser. In Error to the Second Judicial District Court of Ramsey County, State of North Dakota.

This cause came on to be heard on the transcript of the record from the Second Judicial District Court of Ramsey County, State of North Dakota, and was argued by counsel. On consideration whereof, It is

now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

Dissenting:

Mr. Justice Brewer.
Mr. Justice Field.
Mr. Justice Jackson.
Mr. Justice White.

P. C. Miller, Plff. in Error. vs. The State of Texas. In Error to the Court of Criminal Appeals of the State of Texas.

1166.

This cause came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Justice Brewer.

Nelson P. Evans. In Error to the District Court
132. vs. Pet'n in Error. of the United States for the East-
The United States. ern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brown.

Dissenting:
Mr. Justice Field.

Nelson P. Evans. In Error to the District Court
133. vs. Pet'n in Error. of the United States for the East-
The United States. ern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Pennsylvania, and was argued

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Field.

J. Pierson Seymour. In Error to the Circuit
263. vs. Court of the United States
The Hide & Spur Gold for the District of Col-
Mines, (Limited). orado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

The Slide & Spur Gold Mines (Limited). Appeal from the Circuit Court of the United States for the District of Colorado.

284. vs. Appellant.

Ellen R. Seymour & William L. Bell.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Colorado.

per Mr. Justice Brewer.

The Quincy Mining Company. In Error to the Circuit

333. vs. Pltf. in Error. Court of the United States

John Kemble and Jane for the Western Dis-

Kelso. trict of Michigan.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Brewer.

Moses H. Scott.		In Error to the
890.	vs.	Supreme Court
John McHead & Angus-		of the State of
tus McHead.		Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and

that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Gray.

Isaac Ludlow. In Error to the Circuit
v. Pff. in Error. Court of the United States
The North River Bridge for the District of New
Company. Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court in this cause be, & the same is hereby, affirmed with costs.

per Mr. Justice Gray.

10144 Orlando Roberts On a certificate from the
v. Pff. in Error. United States Circuit Court
United States. of Appeals for the Eighth
Circuit.

This cause came on to be heard on a certificate from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that it be answered to the first question that the Circuit Court of Appeals, in determining the status of the estate that became vested in Chilton Dawson under the will of her deceased husband, Jacob Dawson, in lands in the State of Nebraska of which he died seized, ought to be governed, not by the former decision of this Court in Giles v. Little, 104, U.S. 291, but by the decision of the Supreme Court of Nebraska, in Little v. Giles, 26 Nebraska, 313; that the second question must be answered in the affirmative; and the third question in the negative.

Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

per Mr. Justice Gray.

The United States ex relatione The State of South Carolina.
1140. vs. Pff. in Error.
John S. Seymour, Commissioner of Patents.

In Error to the Court of Appeals of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the District of Columbia, and on a motion to dismiss which was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Justice Gray.

John G. Mc. Kane.
186. vs. Appellant.
E. K. Hurlbut, Paul D. Wurtzel & Jung Jung Brisco, in the State of New York.

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern Dis-
trict of New York, and was argued by coun-
sel. On consideration whereof, It is now here
ordered, adjudged and decreed by this Court
that the order of the said Circuit Court in
this cause be, and the same is hereby, affirm-
ed with costs.

per Mr. Justice Harlan.

The New York, Lake Erie & Western Railroad Company
vs.
The Commonwealth of Pennsylvania.

591. Pff. in Error. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the State of Pennsylvania, and was
argued by counsel. On consideration where-
of, It is now here ordered and adjudged
by this Court that the judgment of the said
Supreme Court in this cause be, and the
same is hereby, reversed with costs; and that
this cause be, and the same is hereby, re-
manded to the said Supreme Court f

further proceedings not inconsistent with the opinion of this Court.

per Mr. Justice Harlan.

The New York, Lake Erie & Western Railroad Company. Pltff. in Error. vs. The Commonwealth of Pennsylvania. In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, & the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court in the case of The New York, Lake Erie & Western Railroad Company vs. The Commonwealth of Pennsylvania, No. 39 of this present term.

per Mr. Justice Harlan.

79. The New York, Lake Erie & Western Railroad Company. vs. The Commonwealth of Pennsylvania. } In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court in the case of The New York, Lake Erie & Western Railroad Company vs. The Commonwealth of Pennsylvania, No. 541, of the present term.

per Mr. Justice Harlan.

The Chief Justice announced that the Court would adjourn for the term on Saturday, the 26th inst. inst.

The State of California. Original. vs. Complainant. Southern Pacific Company. It is ordered that in the execution of the order heretofore entered on the 30th day of April, A. D. 1894, the parties hereto, the State of California, complainant, and Southern Pacific Company, a corporation, defendant, shall each advance to the Commissioners, by said order appointed, the sum of $350.00, for expenses, before or at the time said Commissioners enter upon the discharge of his duties under his commission. per Mr. Chief Justice Fuller.

The State of Connecticut, at the relation of The New York & New England Railroad Company, and David L. Plume. vs. George W. Woodruff et al., Commissioners of the Asylum Street Bridge Commission. Plffs. in Error. In Error to the Supreme Court of Errors of the State of Connecticut

This cause came on to be heard on the transcript of the record from the Supreme

Court of Errors of the State of Connecticut, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Taney.

The Atlantic & Pacific R.R. Co. vs. Mary J. Laird. 118. Pff. in Error.

On consideration of the motions to dismiss or affirm in this cause, and of the argument of counsel thereupon had, as well in support of as against the same, It is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Taney.

The Detroit City Railway Co. vs. The City of Detroit. 183. Appellants.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and on a motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

(Mr. Justice Brown took no part in the consideration and disposition of this motion).

The United States ex rel: The International Contracting Company. vs. Eff. in Error. Daniel S. Lamont, Secretary of the Department of War.

On consideration of the motion to advance this cause, It is now here ordered by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next Term, after the cases here before assigned for that day.

per Mr. Chief Justice Fuller.

The Franklin Savings Bank et ab. vs. Appellants. Robert C. Taylor et ab.

1171. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

Henry A. Morgan, as President of The New York Times. vs. Defts. in Error. Ignatius E. Halberstadt.

1198. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon heard, as well in support of as against the same, It is now here ordered by the Court

that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Fuller.

The Panama Railroad Company. vs. Appellant. / The Napier Shipping Company, Limited. } On a petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

1891.

On consideration of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, and of the argument of counsel thereupon had, as well in support of, as against the same, It is now here ordered by the Court that said petition be, & the same is hereby, granted. per Mr. Chief Justice Fuller.

Thomas H. Hubbard, William Hunt, Neville Sullivan and Sutton, Hubbard & Dickinson & Alfred Russell. vs. Appellants. / The Pewabic Mining Company, Johnson Thomas, Thomas H. Perkins et al. } Appeal from the Circuit Court of the United States for the Western District of Michigan.

1041.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Fuller.

The City of New Orleans, Appellant, v. H. W. Benjamin et al. On a certificate from the United States Circuit Court of Appeals for the Fifth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the first question certified must be answered in the negative, and the third question in the affirmative.

Whereupon, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

(Mr. Justice White took no part in the consideration and decision of this case).

Elijah W. Wiltsey. In Error to the Circuit Court
vs. Pfaff in Error. of the United States for the Wes-
The City of Watertown. tern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to enter judgment for the plaintiff on the findings.

Per Mr. Chief Justice Fuller.

Shumaker vs Cooper
with a writ of error to
the Supreme Court
of the State of Illinois

No. 247. Appeal from the Supreme Court of the State of Illinois

Mr. Chief Justice Fuller delivered the opinion of the court.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel. On consideration whereof, it is ordered and adjudged by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Chief Justice Fuller.

Ivey Parr
vs
The United States.

No. 280. Error to the Circuit Court of the United States for the District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the final decree of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with a direction to grant a new trial.

per Mr. Chief Justice Waite.

Daniel Benton. vs. Plff. in Error. The United States.

1197. Mr. Solicitor General Mar-well, of counsel for the defendant in error, submitted to the Consideration of the Court a motion to advance this cause.

A. W. Cockb et al. vs. Plffs. in Error. The United States.

Mr. Solicitor General Mar-well, of counsel for the defendant in error, submitted to the Consideration of the Court a motion to docket & dismiss this cause.

	Henry E. Mc. Kee.	Mr. John J. Wood, of counsel for Mc. Kee, submitted to the consideration of the Court a motion to require Counsel for the Appellants Lamon et al. to comply with the terms of the Stipulation in regard to printing the record in this cause.
344.	vs. Appellant.	
	Ward H. Lamon.	
	&	
	Ward H. Lamon et al.	
345.	vs. Appellants.	
	Henry E. Mc. Kee.	

	Wm. Schweitzer & Henry Schweitzer	In Error to the Supreme Court of the State of Louisiana.
150.	vs. Petn. in Error.	
	Anna Sophia Brugger, Executrix and Chs Schultz-Cook, Executor of John Brugger, dec'd.	

This cause having been called to the attention of the Court by Mr. Frederic D. McKenney, of counsel for the plaintiffs in error, and an authority to dismiss this cause having been filed, Whereupon in pursuance of said authority, It is now here ordered and adjudged by this Court that the writ of

error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Trustees and Fellows of Brown University in Providence, R. I. vs. Appellants.
Prof. Charles Caleuf Collegy of Agriculture & Mechanic Arts &c. Appellees.
Treasurer et al.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause having been called to the attention of the Court by Mr. Alexander Brillow, in behalf of counsel, and a stipulation to dismiss this cause having been filed. Therefore, in pursuance of said stipulation, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed.

per Mr. Chief Justice Fuller.

123 Henry W. Bales et al. vs. Sarah A. Preble.

Appeal from the Supreme Court of the State of Maine.

Mr. W. D. Hobbins for the appellants in error and Mr. [illegible] for the defendant in error on

mitted to the consideration of the Court a motion for an order granting the Clerk leave to issue the mandate in this cause.

Henry G. Brown. In Error to the Circuit Court
402. v. Def. in Error. of the United States for the
William Joliffe et al. Southern District of Ohio.

It appearing to the Court that a motion by counsel for the plaintiff in error to dismiss this cause has been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

J. Mc Hugh Adams Appeal from the Circuit Court
428. v. Appellees. of the United States for the East
W. W. Buck et al. ern District of Missouri.

It appearing to the Court that a stipulation of counsel for the respective parties to dismiss this cause has been filed. Therefore, in pursuance of said stipulation, It is

was duly considered and adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Steamship "Britannia," etc.

340. vs. Appellant.

Sigismund Neu, Executrix, etc. On motion of the
The Steamship "Britannia," etc. Sidney Clubb, of
341 vs. Appellant. counsel, leave
John Munro & Wm. is hereby granted
Wm. the Clerk to
La Compagnie Française de issue the mandate
Navigation a Vapeur, et al. in these cases.

342. vs. Appellants.

The Steamship "Beaconsfield," etc.

Court having made the order
adjourned until Saturday the 26th instant,
at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Melville W. Fuller, Chief Justice
Stephen J. Field.
John M. Harlan.
Horace Gray, Associate
David J. Brewer. Justices
Henry B. Brown.
Howell E. Jackson.
Edward D. White.

John M. Wright, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. B. Hodges it is ordered that Lyman E. Barnes Esquire, of Appleton, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court, and he was severally accordingly.

On motion first made to the Court in this behalf by Mr. M. H. Blair it is ordered

That Harry S. Lovering, Esquire, of Manchester, State of New Hampshire, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. C. Webb it is ordered that Wm. H. Wells, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. W. W. Kelly it is ordered that William C. Kuyker, Esquire, of Woodbury, State of New Jersey, and Sunday A. Rogers, Esquire, of Salt Lake City, Territory of Utah, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Wm. L. Hubley Chilton it is ordered that Carl Abbott, Esquire, of Durham, State of New Hampshire, be admitted to

practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. William A. Maury it is ordered that Pierce Butler, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Richard C. Barden, William Wallis, James R. Boyce, and Ida G. Boyce.
vs. Writs of Error.
The Northern Pacific Railroad Company.

612 In Error to the Circuit Court of the United States for the District of Montana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby

reversed with costs: and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the demurrer of the defendants and enter judgment thereon in their favor with costs.

per Mr. Justice Field.

Dissenting.

Mr. Justice Brewer.
Mr. Justice Gray.
Mr. Justice Shiras.

The United States. Appeal from the Circuit
v. Court of the United States
The Illinois Central Rail- for the Northern Dis-
road Company et al. trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed.

Absent:

Mr. Justice Brewer,

Mr. Justice Brown.

(The Chief Justice having been of counsel in the Court below, took no part in the consideration of this case on appeal).

The Missouri Pacific Railway Company.		In Error to the Circuit Court of the United States for the Northern District of Texas.
318.	v.	
George N. McFadden, John N. McFadden & Company, a partnership composing the firm of George N. McFadden and Brothers.	Peff, in Error.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to

the said Circuit Court for further proceedings in accordance with this opinion of this Court.

per Mr. Justice Jenkins.

Harriet A. Buckaw, Gertrude Alexander &c. Adella Morris, &c. vs. The Woodstock Iron Company, The Anniston City Land Company et al.

In Error to the Circuit Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Shiras.

	The Northern Pacific Railroad Company,	In Error to the Circuit Court of the
128	vs.	United States for
	Albert L. Babcock, as Administrator of Hugh M. Munro, deceased.	the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per the Justices Absent.

	The United States,	On a writ of error
136	vs.	and to the United
	The Steamship "Haytian Republic," her engines, etc.,	States Circuit Court
	The Northwest Loan & Trust	of Appeals for the
	Company, Claimant.	Ninth Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said United States Circuit Court of Appeals in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon for further proceedings in accordance with the opinion of this Court.

per Mr. Justice White.

The Northern Pacific Railroad Company. Pltff. in Error. vs. George Kamby. In Error to the Circuit Court of the United States for the District of North Dakota

187.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of North Dakota, and was argued by coun-

ed. Our consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, & the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

per Mr. Justice Brown.

Dissenting:

Mr. Justice Nelson.
Mr. Chief Justice Taney &
Mr. Justice Field.

John Riggles, Mary Riggles, Mary A. Miller, Sarah A. Pinkston, Gertrude A. Wilson et al. vs. Appellants. Appeals from the Supreme Court of the District of Columbia.

335. Hamilton Bruff & Charles A. Bruff.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration where of, It is now here ordered, adjudged and

ordered by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brown.

Dissenting:

Mr. Justice Brewer &
Mr. Justice White.

James M. Constable, Frederick A. Constable & Nicholas Arnold, surviving, &c.

vs. Appellants.

The National Steamship Company Limited.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Mr. Justice Brown

Dissenting:

Mr. Justice Peckham

Mr. Justice Gray.

The Covington & Cincinnati Bridge Company,
vs. Plff. in Error.
The Commonwealth of Kentucky.

In Error to the Court of Appeals of the State of Kentucky.

1025.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings to be had

the opinion of this Court.

per Mr. Justice Brown.

The Covington & Cincinnati Elevated Railroad & Transfer and Bridge Company. In Error to the
vs. Court of Appeals
1894 Peff. in Error. of the State of
The Commonwealth of Kentucky. Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings.

per Mr. Justice Brown.

John H. Reagan, W.C. McLean.		Appeal from the
L.L. Foster & S.A. Culberson.		Circuit Court
128.	vs. Appellants.	of the United
The Farmers Loan & Trust Company,		States for the
vs The International and Great		Western District
Northern Railway Company.		of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, in so far as it restrains the rail road commission from discharging the duties imposed by the act of the legislature of the State of Texas of April 3, 1891, establishing said commission, and from proceeding to establish reasonable rates and regulations be, and the same is hereby, reversed, and so far as it restrains the defendants from enforcing the rates already established be, and the same is hereby, affirmed, each party to pay one half of the costs in this

Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

John A. Kenyon (W. C. Hutchison, L. L. Foster & C. A. Culberson.) Appeal from the Circuit Court
164. vs. Appellants. of the United States for the
The Mercantile Trust Company, Trustee, & The Texas and Pacific Western District of Texas.
Railway Company. [illegible] of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause in so far as it restrains the railroad commissioners from discharging the duties imposed by the act of the legislature of the State of Texas, of April 3, 1891, establishing said commissioners,

and from proceeding to establish reasonable rates and regulations to, and the same is hereby reversed, and so forth and enjoining the defendants from enforcing the rates already established by, and the same is hereby, affirmed, each party to pay one-half of the costs in this Court: and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

John M. Keagy, Jr. & Wm. L. Foster, U.S. Commissioner, Appellants: vs. The Mercantile Trust Company, Trustee, & The St. Louis, Southwestern Railway Company.

168. Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed

this Court that the decree of the said Circuit Court in this cause in so far as it restrains the railroad commission from discharging the duties imposed by the act of the legislature of the State of Texas of April 3, 1891, establishing said commission, and proceeding to establish reasonable rates and regulations, be, and the same is hereby, reversed, and so far as it restrains the defendants from enforcing the rates already established be, and the same is hereby affirmed, each party to pay one-half of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

John H. Kampmann & W. H. Maxey, L. L. Foster & S. A. Culberson, v. The Mercantile Trust Company, Trustee, & The Gulf, Western Texas & Pacific Railway Company. Appeal from the Circuit Court of the United States for the Western District of Texas.

1167

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause in so far as it restrains the railroad commission from discharging the duties imposed by the act of the legislature of the State of Texas of March 3 1891 establishing said Commission, and from proceeding to establish reasonable rates and regulations be, and the same is hereby, reversed, and so far as it restrains the defendants from enforcing the rules already established be, and the same is hereby, affirmed, each party to pay one-half of the costs in this Court. And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

John H. Reagan, W. P. McLean, L. L. Foster & C. A. Culberson. vs. The Farmers' Loan & Trust Company, Trustee, & The Gulf, Colorado & Santa Fé Railway Company. Appellants.

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause in so far as it restrains the railroad commission from discharging the duties imposed by the act of the legislature of the State of Texas, of April 3, 1891, establishing said commission, and from proceeding to establish reasonable rates and regulations be, & the same is hereby, reversed, and so far as it restrains the defendants from enforcing the rates already established by, and the same is hereby affirmed, each party to pay one half

of the costs in this Court; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Brewer.

The Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. vs. Jeff. in Error. Victor M. Backus as Treasurer of Marion County, Indiana, et al. } In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Harlan &

Mr. Justice Brewer.

(Mr. Justice Jackson did not sit on the argument in

The Indianapolis & Vincennes Railroad Company. vs. Victor M. Backus, as Treasurer of Marion County, Indiana, et al.

700. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Harlan

Mr. Justice Brown.

Mr. Justice Jackson did not hear the argument in this case and took no part in its decision.

The Cleveland, Cincinnati, Chicago & St. Louis Railway Co. vs. Victor M. Backus, as Treasurer

738. In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Brewer.

Dissenting:

Mr. Justice Harlan

Mr. Justice Brown.

(Mr. Justice Jackson did not hear the argument in this case and took no part in its decision).

59. Frank J. Primrose. vs. The Western Union Telegraph Company. In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was

made by counsel. Due consideration where of, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Dissenting:

Mr. Chief Justice Fuller

Mr. Justice Harlan.

(Mr. Justice White not having been a member of the Court when this case was argued, took no part in its decision).

Daniel W. Morrison. In Error to the Supreme
vs. Court of the State of
John G. Watson. North Carolina.

1894.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want

of jurisdiction.

per Mr. Justice Gray.

(Mr. Justice White not having been a member of this Court when this case was argued, took no part in its decision).

Joseph F. Dunham.		Appeal from the Circuit
294	vs. Appellant.	Court of the United States
The Dennison Manu-		for the Southern Dis-
facturing Company.		trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Frederick Prentice. In Error to the
319. vs. Pff. in Error. Circuit Court of
The Northern Pacific Railroad the United States
Company, The St. Paul & Duluth for the District
Railroad Company & Owen of Minnesota.
Ferguson

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Thomas St. Clair. In Error to the Circuit Court
1062. vs. Pff. in Error. of the United States for the North-
The United States. ern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern

District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

The Interstate Commerce Commission. vs. Appellants. W. G. Brinson, J. S. Keefe, and W. P. Stirling.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

583.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs: and that this cause be, and the same is hereby remanded to the said Circuit Court

for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Harlan.

Dissenting:

Mr. Justice Brewer.

Mr. Chief Justice Fuller.

Mr. Justice Jackson.

(Mr. Justice Field was not present at the argument of this case, and took no part in the consideration or decision of it).

Henry S. Mc. Kee. vs. Appellants.
Ward H. Lamon et al.

Ward H. Lamon et al. vs. Appellants.
Henry S. Mc. Kee.

No. 544.

No. 545.

On consideration of the motion to require counsel for the appellants in No. 545 Lamon et al. to comply with the terms of the stipulation in regard to printing the record in these cases, it is now here ordered by this Court that the Clerk print the parts of the record designated by counsel for the appellant in case No. 544, and that case will proceed thereon, unless the appellants in case No. 545 designate the parts

of the record which they wish printed in time for the printing to be completed by the first day of the next term.

per Mr. Chief Justice Fuller.

1894. David Barlow. vs. Jeff in Error. The United States.

On consideration of the motion to advance this cause, It is now here ordered by the Court by the Court that said motion be, and the same is hereby, granted, and the cause assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

per Mr. Chief Justice Fuller.

By parte: In the matter of Belva A. Lockwood. Petitioner.

On consideration of the motion for leave to file a petition for a writ of mandamus herein, It is now here ordered by the Court that said motion be, & the same is hereby, denied.

per Mr. Chief Justice Fuller.

	The Northern Pacific Railroad Company.	In Error to the Supreme
337	vs.	Court of the
	Jeb. Rickerson, County Treasurer, of Valentine County, Nebraska.	State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

	Richard Watson, Peter Crouch, Cynthia Crouch & Lewis Weston.	In Error to the
892	vs.	Supreme Court
	Frank A. Hungerford, as Receiver of Schuyler's Steam Tow Boat Company.	of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Mr. Chief Justice Fuller.

Dissenting:

Mr. Justice Brewer &
Mr. Justice White.

J. W. Todd et al.
vs.
The United States.

Mr. E. B. Russell, in behalf of counsel for the plaintiffs in error, submitted to the consideration of the Court a motion for an extension of the time within which to file the transcript of the record herein; whereupon, It is now here ordered by the Court that said motion and the motion to dismiss this cause submitted by

counsel for the defendant in error be, and they are hereby, postponed until the next Term.

The Texas & Pacific Railway Company.		In Error to the Supreme Court of the State of Texas.
112.	v. Pet. in Error.	
O. A. Miller.		

This cause having been called to the attention of the Court by Mr. W. W. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Fuller.

The Texas & Pacific Railway Company.		In Error to the Supreme Court of the State of Texas.
114.	v. Pet. in Error.	
Ben. White.		

This cause having been called to the

attention of the Court by Mr. D. K. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller

The Texas & Pacific Railway Company. vs. Pff. in Error. Lem. Walls et ab. — In Error to the Supreme Court of the State of Texas.

This cause having been called in the allotment of the Court by Mr. D. K. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

725 The Texas & Pacific Railway Company. vs. Plff. in Error. Thomas Brick. In Error to the Supreme Court of the State of Texas.

This cause having been called to the attention of the Court by Mr. D. D. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed, therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

726 The Texas & Pacific Railway Company. vs. Plff. in Error. Thomas O. Brick. In Error to the Supreme Court of the State of Texas.

This cause having been called to the attention of the Court by Mr. D. D. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dis-

cause this cause having been filed. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

The Texas & Pacific Railway Company.
vs.
Reff in Error.

In Error to the Supreme Court of the State of Texas.

741. J. P. Comstock.

This cause having been called in the motion of the Court by Mr. R. H. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore, in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The Texas & Pacific Railway Company.	In Error to the Court of Civil Appeals for the Second
1167.	vs.	Judicial District of the
	Jeff. in Error.	State of Texas.
	James Lavery.	

This cause having been called to the attention of the Court by Mr. R. H. Duncan, in behalf of counsel, and a motion by counsel for the plaintiff in error to dismiss this cause having been filed. Therefore in pursuance of said motion, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Fuller.

	The United States.	On motion of Mr.
11	Original.	Edgar Mann of
	The State of Texas.	counsel for the complainant, leave is hereby granted.

to file a stipulation of counsel in addition to printing the record herein, and record ordered to be printed pursuant thereto.

The United States.
1096. vs. Appellants.
Johnson Blackfeather, Principal Chief of Shawnee Tribe of Indians.

and

The United States et al.
1159. vs. Appellants.
Johnson Blackfeather, Principal Chief of Shawnee Tribe of Indians.

On motion of Mr. Charles Brownell, of counsel for the appellee, It is ordered by the Court that these cases be, and they are hereby, advanced and assigned for argument on the second Monday of the next term, after the cases heretofore assigned for that day.

The State of Maryland.
6. Original. vs. Complainant.
The State of West Virginia.

On motion of Mr. John P. Poe, of counsel for complainant, leave is hereby granted to file general replications of the complainant and defendant hereto.

The State of Maryland.
6. Original. vs. Complainant.
The State of West Virginia.

In Equity.

This day came the

parties by their attorneys and the plaintiff filed a general replication to the answer of the defendant to the plaintiffs bill of complaint: and the defendant filed a general replication to the answer of the plaintiff to the defendants cross bill: and thereupon by consent of the said parties by their attorneys, either party is authorized to take such testimony as it may desire upon giving at least twenty days notice to the attorneys of the opposite parties of the time and place of the taking of such testimony: and by like consent either party is authorized to have such surveying done of the lands, territory or lines in controversy in this cause as it may desire: said surveying to be done by a surveyor or surveyors to be hereafter agreed on in writing by the attorneys for both parties: and said surveyor or surveyors shall return to this Court a report and map or maps of the surveying done by him or them under this order, together with copies of such report and map or maps. Before proceeding to do any surveying under this order, the surveyor or surveyors, so agreed on, shall

give to the attorneys of both parties at least twenty days notice of the time and place of the commencement of such surveying.

per Mr. Chief Justice Fuller.

The Pittsburg, Cincinnati, Chicago & St. Louis Railway Co.

899. vs. Petn. in Error.

Victor M. Backus, as Treasurer etc, et al.

The Indianapolis and Vincennes Railroad Co.

900. vs. Petn. in Error.

Victor M. Backus, as Treasurer etc., et al.

And

The Cleveland, Cincinnati, Chicago & St. Louis Railway Co.

908. vs. Petn. in Error.

Victor M. Backus, as Treasurer etc.

On motion of Mr. John G. Dye, of counsel, leave is hereby granted counsel for the plaintiffs in error in these cases to file petitions for rehearing herein on or before the first day of the next term of the Court, said petitions to be filed as of this day.

per Mr. Chief Justice Fuller

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court be, and the same are hereby, continued until the next term of the Court.

per Mr. Chief Justice Fuller.

Proclamation being made the Court is adjourned to the time and place appointed by law.